

THE  
AMERICAN  
JOURNAL OF PHILOLOGY

Founded by B. L. GILDERSLEEVE

EDITED BY

CHARLES WILLIAM EMIL MILLER

FRANCIS WHITE PROFESSOR OF GREEK IN THE JOHNS HOPKINS UNIVERSITY

WITH THE COÖPERATION OF

HERMANN COLLITZ, TENNEY FRANK, WILFRED P. MUSTARD,  
D. M. ROBINSON

---

VOLUME LII

---

BALTIMORE: THE JOHNS HOPKINS PRESS

LONDON: ARTHUR F. BIRD

PARIS: ALBERT FONTEMOING

LEIPSIC: F. A. BROCKHAUS

1931

100

58

V  
G  
M  
C  
C  
E  
E

V  
E  
V  
V

General  
Index

## CONTENTS OF VOLUME LII.

### No. 205.

	PAGE
Violation of Sepulture in Palestine. By FRANK E. BROWN, -	1
Gratitude to Parents in Greek and Roman Literature. By JOSEPH WILLIAM HEWITT, - - - - -	30
Notes on Lucan. By H. C. NUTTING, - - - - -	49
On the Authenticity of the Letters Attributed to Saint Basil in the So-called Basil-Apollinaris Correspondence. By Sister AGNES CLARE WAY, - - - - -	57
On Seneca's <i>Apocolocyntosis</i> , IV. By KENNETH SCOTT, - -	66
REPORTS: - - - - -	69
Philologus LXXXIV (N. F. XXXVIII) (1929) (HARRISON C. COFFIN).— <i>Rivista di Filologia e di Istruzione Classica</i> , LVIII (WILFRED P. MUSTARD).	
REVIEWS: - - - - -	77
<i>Louis Hjelmslev's Principes de grammaire générale</i> (LOUIS H. GRAY).— <i>Alois Walde's Lateinisches etymologisches Wörterbuch</i> (ROLAND G. KENT).— <i>A. R. Nykl's A Compendium of Aljamiado Literature</i> (ANDREW RUNNI ANDERSON).— <i>Tenney Frank's Life and Literature in the Roman Republic</i> (NORMAN W. DEWITT).— <i>Remigio Sabbadini's P. Vergili Maronis Opera</i> ; <i>Acton Griscom's The Historia Regum Britanniae of Geoffrey of Monmouth</i> ; <i>Walter Ripman's A Handbook of the Latin Language</i> ; <i>E. M. W. Tillyard's Milton</i> ; <i>Charles G. Osgood's Boccaccio on Poetry</i> ; <i>A. E. Housman's Manilii Astronomicon Liber Quintus</i> (WILFRED P. MUSTARD).— <i>Constantin I. Balmus's Etude sur le Style de Saint Augustin</i> (ROY J. DEFERRARI).— <i>Karl Strecker's Einführung in das Mittellatein</i> ; <i>A. Kalb's Dombart's Augustini De Civitate Dei, Vol. II</i> (Martin R. P. McGUIRE).	
William Augustus Merrill (memorial notice). By H. C. NUTTING, - - - - -	99
BOOKS RECEIVED, - - - - -	101

### No. 206.

Prothetic Vowels in Sanskrit, Greek, Latin and Germanic. By FRANCIS A. WOOD, - - - - -	105
Was the Capitoline Triad Etruscan or Italic? By INEZ SCOTT RYBERG, - - - - -	145
The Date of Manilius. By R. B. STEELE, - - - - -	157

	PAGE
A Supplement to Cooper and Gudeman's Bibliography of the Poetics of Aristotle. By MARVIN T. HERRICK, - - -	168
The Ablative Absolute Limited by Conjunctions. By EMORY B. LEASE, - - -	175
Spenser's Hesiod. By JOSEPHINE WATERS BENNETT, - - -	176
REPORTS: - - -	182
Rheinisches Museum, LXXVII (1928) (ROBERT PARVIN STRICKLER).—Revue de Philologie (1928) (CAROL WIGHT).	
REVIEWS: - - -	194
<i>Jordan-Smith's</i> Robert Burton's Philosophaster (WILFRED P. MUSTARD).— <i>Duckett's</i> Latin Writers of the Fifth Century (W. P. M.).— <i>Sanford's</i> Salvian (W. P. M.).— <i>Baxter's</i> St. Augustine: Select Letters (W. P. M.).— <i>Rand's</i> The Magical Art of Virgil (W. P. M.).— <i>Mooney's</i> C. Suetoni Tranquilli De Vita Caesarum Libri VII-VIII (W. P. M.).— <i>Woodhouse's</i> The Composition of Homer's Odyssey (GEORGE E. DUCKWORTH).— <i>Sihler's</i> From Maumee to Thames and Tiber (C. W. E. MILLER).—Cooper and Gudeman's Bibliography of the Poetics of Aristotle (C. W. E. M.).	
BOOKS RECEIVED, - - -	201

## No. 207.

Hapax Legomena in Plato. By ANDREW FOSSUM, - - -	205
Latin Words in the Greek Inscriptions of Asia Minor. By A. CAMERON, - - -	232
<i>Syntaximon</i> and <i>Laographia</i> in the Arsinoite Nome. By CLINTON W. KEYES, - - -	263
Three Puns on the Root of <i>πέπω</i> in the <i>Persae</i> of Aeschylus. By H. N. COUCH, - - -	270
Hipponensis or Hipponiensis. By HOLMES V. M. DENNIS, 3D, Pliny, H. N. XIV, 95, <i>quadrantal</i> . By TENNEY FRANK, - - -	274
REPORTS: - - -	279
Mnemosyne, LVIII, 3 & 4 (CLAYTON M. HALL).—Glotta, XIX (1931), 3-4 (ROLAND G. KENT).	
REVIEWS: - - -	283
Norsk Riksmålsordbok, Hefter 1-3, a-bort (GEORGE T. FLOM).— <i>C. C. Edgar's</i> Zenon Papyri in the University of Michigan Collection (ALLAN CHESTER JOHNSON).— <i>A. C. Johnson</i> and <i>H. B. Van Hoesen's</i> Papyri in the Princeton University Collections (CLINTON W. KEYES).— <i>Charles Henry Beeson's</i> Lupus of Ferrières as Scribe and Text Critic (TENNEY FRANK).— <i>H. Malcovati's</i> Oratorum Romanorum Fragmenta (TENNEY FRANK).— <i>Ioannes Raeder's</i> Oribasii Collectionum Medicarum Reliquiae (W. A. HEIDEL).	
BOOKS RECEIVED, - - -	292



# CONTENTS.

v

No. 208.

	PAGE
Euripides' <i>Alcestis</i> . By D. L. DREW, - - - - -	295
Προαναφώνησις in the Scholia to Homer. By GEORGE E. DUCK- WORTH, - - - - -	320
Euripides' Artistic Development. By HERBERT EDWARD MIEROW,	339
Digressio in the Orations of Cicero. By H. V. CANTER, - -	351
Problems in Aristophanes' <i>Vespae</i> 818-823. By H. COMFORT, -	362
REPORTS: - - - - -	370
Hermes LXV (1930) (HERMAN LOUIS EBELING).—Philolo- gus LXXXV (1930) (HARRISON C. COFFIN).	
REVIEWS: - - - - -	383
Zorell's <i>Lexicon Graecum Novi Testamenti</i> (J. GRESH- AM MACHEN).— <i>Walde's Lateinisches etymologisches</i> <i>Wörterbuch</i> (ROLAND G. KENT).— <i>Rhys's Bérard's Did</i> <i>Homer Live?</i> (A. D. FRASER).	
BOOKS RECEIVED, - - - - -	391
INDEX, - - - - -	394

PERIODICAL  
GENERAL  
NO. OF

MAR 21 1931

VOL. LII, 1

WHOLE No. 205

THE  
AMERICAN  
JOURNAL OF PHILOLOGY

Founded by B. L. GILDERSLEEVE

EDITED BY

CHARLES WILLIAM EMIL MILLER

FRANCIS WHITE PROFESSOR OF GREEK IN THE JOHNS HOPKINS UNIVERSITY

WITH THE COÖPERATION OF

HERMANN COLLITZ, TENNEY FRANK, WILFRED P. MUSTARD,  
D. M. ROBINSON

JANUARY, FEBRUARY, MARCH

1931

BALTIMORE, MARYLAND  
THE JOHNS HOPKINS PRESS

# CONTENTS.

	PAGE
Violation of Sepulture in Palestine. By FRANK E. BROWN, -	1
Gratitude to Parents in Greek and Roman Literature. By JOSEPH WILLIAM HEWITT, -	30
Notes on Lucan. By H. C. NUTTING, -	49
On the Authenticity of the Letters Attributed to Saint Basil in the So-called Basil-Apollinaris Correspondence. By Sister AGNES CLARE WAY, -	57
On Seneca's <i>Apocolocyntosis</i> , IV. By KENNETH SCOTT, -	66
REPORTS: -	69
Philologus LXXXIV (N. F. XXXVIII) (1929) (HARRISON C. COFFIN).— <i>Rivista di Filologia e di Istruzione Classica</i> , LVIII (WILFRED P. MUSTARD).	
REVIEWS: -	77
<i>Louis Hjelmslev's Principes de grammaire générale</i> (LOUIS H. GRAY).— <i>Alois Walde's Lateinisches etymologisches Wörterbuch</i> (ROLAND G. KENT).— <i>A. R. Nykl's A Compendium of Aljamiado Literature</i> (ANDREW RUNNI ANDERSON).— <i>Tenney Frank's Life and Literature in the Roman Republic</i> (NORMAN W. DEWITT).— <i>Remigio Sabbadini's P. Vergili Maronis Opera</i> ; <i>Acton Griscom's The Historia Regum Britanniae of Geoffrey of Monmouth</i> ; <i>Walter Ripman's A Handbook of the Latin Language</i> ; <i>E. M. W. Tillyard's Milton</i> ; <i>Charles G. Osgood's Boccaccio on Poetry</i> ; <i>A. E. Housman's Manilii Astronomicon Liber Quintus</i> (WILFRED P. MUSTARD).— <i>Constantin I. Balmus's Etude sur le Style de Saint Augustin</i> (ROY J. DEFERRARI).— <i>Karl Strecker's Einführung in das Mittellatein</i> ; <i>A. Kalb's Dombart's Augustini De Civitate Dei, Vol. II</i> (MARTIN R. P. MCGUIRE).	
William Augustus Merrill (memorial notice). By H. C. NUTTING, -	99
BOOKS RECEIVED, -	101

The American Journal of Philology is open to original communications in all departments of philology—classical, comparative, oriental, modern; condensed reports of current philological work; summaries of chief articles in the leading philological journals of Europe; reviews by specialists; bibliographical lists. It is published quarterly. Four numbers constitute a volume, one volume each year. Subscription price, \$5.00 a year, payable in advance (foreign postage, 25 cents, extra); single numbers, \$1.50 each.

Articles intended for publication in the Journal, books for review, and other editorial communications should be addressed to the Editor, Professor C. W. E. Miller, The Johns Hopkins University, Baltimore, Maryland.

Subscriptions, remittances and business communications should be sent to

THE JOHNS HOPKINS PRESS, Baltimore, Md.

# AMERICAN JOURNAL OF PHILOLOGY

VOL. LII, 1

WHOLE No. 205

## VIOLATION OF SEPULTURE IN PALESTINE.

[A new study and interpretation of an inscription, which, belonging to the collection Froehner, was recently published and discussed by Franz Cumont and shortly afterward re-interpreted by Edouard Cuq.]

M. Franz Cumont in a recent number of the *Revue Historique*<sup>1</sup> has published and discussed an inscription, which having formed part of the collection Froehner, now reposes with the rest of that collection in the Cabinet des Médailles. M. Edouard Cuq more recently<sup>2</sup> has subjected the observations of M. Cumont to criticism and advanced a modified interpretation of his own. Both M. Cumont and M. Cuq, in the conviction that the inscription is an important addition to our knowledge of the treatment of the point involved in Roman law, have, with learning and acumen, developed the legal aspect of the question and have indicated the pertinent sources; but neither, I think, has arrived at a conclusion which may, without misgiving, be called satisfactory. Because I believe that a rather different avenue of approach will lead further toward the correct understanding of the document, I propose, with the fullest sense of obligation to M. Cumont and M. Cuq, to re-open the question and advance another and very different explanation of it.

Of the provenance of the inscription itself we are informed only by Froehner's inventory that it was sent him from Nazareth in 1878. Cut upon a slab of marble roughly 24" x 15", it is remarkably well preserved, wanting only an insignificant fragment of its upper left-hand corner, and worn only about the

<sup>1</sup> LXIII (1930), pp. 241-66.

<sup>2</sup> Rev. Hist. de Droit Fran. et Etr. 4th Ser., IX (1930), pp. 383-410.



edges to the detriment of the first and last two or three letters in each line. Practically every character, in fact, is legible, and scarcely any offers difficulty to decipherment. It reads:

Διαταγμα καισαρος  
 Αρεσκει μοι ταφους τυμβους  
 τε οιτινες εις θρησκειαν προγονων  
 εποιησαν η τεκνων η οικειων  
 τουτους μενειν αμετακεινητους  
 τον αιωνα εαν δε τις επιδιξη τι-  
 να η καταλελυκοτα η αλλω τινι  
 τροπω τους κεκηδευμενους  
 εξερριφφοτα η εις ετερους  
 τοπους δωλω πονηρω με-  
 τατεθεικοτα επ αδικια τη των  
 κεκηδευμενων η κατοχους η λ[ι]  
 θους μετατεθε[ι]κοτα κατα του  
 τοιουτου κριτηριον εγω κελευω  
 γενεσθαι καθαπερ περι θεων  
 ε[ι]σ τας των ανθρωπων θρησκ-  
 κ[ει]ας πολυ γαρ μαλλον δεησει  
 τους κεκηδευμενους τειμαν  
 καθολου μηδενι εξεστω μετα-  
 κεινησαι ει δε μη τουτον εγω κε-  
 φαλης κατακριτον ονοματι  
 τυμβωρυχιας θελω γενεσθαι.

It may be translated: "Diatagma of Caesar: It is my decision that graves or tombs—whoever has built them for the cult of their ancestors or children or relatives—that these remain forever undisturbed by violence. And if anyone lays information that anyone has either demolished them, or has in any other manner exhumed the corpses, or transferred them with malice aforethought to any other place to the prejudice of the corpses, or has displaced the inscriptions or stones, I ordain that against such an offender a trial be instituted, (the same) in respect of the cult of mortals as in respect of (the cult) of the gods. For it will be much more imperative to reverence the buried. Altogether, then, let no one be permitted

to forcibly disturb them. Otherwise, it is my will that the offender be condemned to capital punishment on charge of violation of sepulture." In brief, it appears, that we have to deal with some sort of imperial constitution, which, under the general caption of μετακινεῖν, or "forcible disturbance", specifically forbids demolition of graves or tombs, exhumation or wilful removal of bodies, and displacement of tombstones or tituli on pain of a process similar to one for crime against the gods and subject to condemnation to death.

In primitive times of family graves and family semi-autonomy within the state, there may, Mommsen thought,<sup>3</sup> have been some criminal statute closely allied with the cult of the Manes, as well as dedications to the Manes, for the protection of tombs. But, as Cuq observes, the question of violation could scarcely have arisen in an epoch when burial as a rule took place within the house of the gens. The sole scrap of evidence for such a law is the unsatisfactory remark of Cicero, quoted without context by Nonius<sup>4</sup> as from the *De Republica*: "pontificio iure sanctitudo sepulturae." At any rate with the coming of private property and private tombs in historical times, and the law of the Twelve Tables<sup>5</sup> forbidding sepulture inside the city, some legal provision must have been necessary. *Res religiosae* were things *diis manibus relictæ*, *nullius bona*,<sup>6</sup> the property solely of the Manes of the dead; and every grave as such a *res religiosa* lay especially open to depredation. If tombs, now so difficult for interested families or private individuals to keep watch over, were violated, the Pontifex might take cognizance of the pollution arising from contact with *res religiosae*, and might exact an expiatory sacrifice, a *piaculum*,—a custom of long survival in cases of *translatio*, where parents or relatives wished to transfer a body from one place of burial to another.<sup>7</sup> But they were without power to amend material damage done, and here the magistrates must have intervened. Unfortunately we are

<sup>3</sup> Zeitsch. Savignystiftung XVI, 203 ff.; Strafr. 812 ff.

<sup>4</sup> P. 174; cf. Pfaff, Real-Enc. 2nd ser. IV, 169.

<sup>5</sup> Cic. de Legg. II, 23, 58.

<sup>6</sup> Gaius II, 4; II, 9.

<sup>7</sup> Liv. 31, 13, 1; 29, 18, 9; Serv. in Aen. VI, 569; Acr. in Hor. Od. I, 28, 34; cf. Plin. Ep. X, 68-9; Dig. XI, 7, 8; 8, 5; 7, 44; 47, 12, 7.

quite without information as to the nature of this intervention, and attempts to restore it must rest entirely upon conjecture.<sup>8</sup> M. Cuq has plausibly suggested three or four interdicts under which such an action might be undertaken by the Praetor.

Such occasional measures, requiring the magistrate to determine for each particular case a precedent under which to prosecute, must with the increasing complexity of Roman life have become increasingly insufficient. The Digest affords clear evidence that at some time in the second or first century B. C., the Praetor, to remedy the situation, proposed in his edict an action whereby the injured party could obtain redress immediately without having recourse to an interdict; viz. the action *sepulchri violatio*. There is some difficulty in ascertaining from the words of Ulpian<sup>9</sup> the precise offenses embraced in this statute, and modern interpreters differ; but it is tolerably certain that (1) destruction or damage to tombs, (2) displacement of their stones, (3) exhumation and outrage upon corpses, (4) use of the tomb as private property by habitation, purchase, sale, or the like, fell under its jurisdiction; while in the case of transfer of the corpse from one place to another, and inhumation of alien persons, there is reason to question its power.<sup>10</sup> This action was granted in the first instance to persons who had *ius sepulchri*; but in default of such might, like a criminal action, be undertaken by any citizen, *quicumque agere volet*.<sup>11</sup> The fine imposed was a *multa*, left to the discretion of the judge, having regard to the gravity of the offense, the gain realized by the offender, the damage caused,<sup>12</sup> and payable to the person or persons instituting the action. For its exercise three conditions were necessary: deliberate fraud—malice prepense—on the part of the offender, intent to injure, and a tomb established in *perpetuum*.<sup>13</sup> It is scarcely necessary to mention that in cases of *translatio*, or of repairing of tombs, the religious authorization

<sup>8</sup> Momms. Strafr. 815.

<sup>9</sup> Dig. 47, 12, 3.

<sup>10</sup> Cf. Wamser, De iure sep. Rom., pp. 21 ff.

<sup>11</sup> Dig. 47, 12, 3, 12.

<sup>12</sup> Ibid. 3, 8.

<sup>13</sup> Ibid. 3, 4; XI, 7, 39.



of the college of pontiffs remained unaffected by this law. Such was the state of affairs at the time of Augustus.

It is not until the second century A. D. that fines are met with exacted for *sepulchri violatio*, payable not only to the interested parties but also to the Aerarium or to the Fiscus. That is, it is not until then that we find *sepulchri violatio* established in the criminal statutes. The legal sources are silent about the date or circumstances of this innovation, but the abundant testimony of the inscriptions<sup>14</sup> enables it to be assigned to the principate of Marcus Aurelius and Verus, or more doubtfully to that of Antoninus Pius. Our earliest inscription of certain date from Italy is of 167 A. D.<sup>15</sup> The fine is no longer *multa*, but *poena*, no longer determined at the discretion of the magistrate, but exacted by the interested party in virtue of a legal right. The old praetorian *multa* continued to exist beside it. It is likely that the person competent to initiate such criminal action had first to present an accusation to the magistrate, who decided upon the criminality of the charge, and in Rome, as the inscriptions suggest, it had also to be presented to the college of Pontiffs. The resultant pecuniary penalty went either to the Fiscus, the Municipium, or the Pontifical college.

During the confusion, lawlessness, and distraction of authority in the third century, violation of sepulture became more and more flagrant, and the measures against it correspondingly more stringent. Deportation, banishment, forced labor—punishments hitherto unheard of—were meted out to the transgressor; death was decreed for those who committed depredations armed, or in gangs, and for body-snatchers of the lower sort.<sup>16</sup> But since capital punishment was confined to a very restricted list of offenses, jurists were hard put to it to find a category under which to include this penalty for *sepulchri violatio*. They appealed now to the *leges Juliae de vi publica et de vi privata* against assembling in arms and against violence to another's property,<sup>17</sup> to the law *de extraordinariis criminibus*, and to the statutes against *laesae religionis* and *laesae maiestatis*.<sup>18</sup>

<sup>14</sup> Wamser, op. cit. pp. 43 ff.

<sup>15</sup> C. I. L. X. 6706, Antium.

<sup>16</sup> Cod. Iust. IX, 19, 2; Dig. XI, 7, 7; XLVII, 12, 11-13.

<sup>17</sup> Dig. XLVIII, 6, 1; 2, 3; XLVII, 12, 8.

<sup>18</sup> Cod. Iust. IX, 19, 1.

It was noticed that certain forms of *sepulchri violatio* did not figure in the praetor's edict;<sup>19</sup> but the evidence of the Digest<sup>20</sup> suggests, and that of the inscriptions<sup>21</sup> is unanimous, that these were comprehended under the later imperial criminal enactment. Now Mommsen<sup>22</sup> observed that the inscriptions testifying to the change in the status of *sepulchri violatio*, while scattered over Italy and most of the East, were quite absent from the whole West, along with Egypt and Africa. He therefore concluded that it was not a question of an edict embracing the whole empire. Since, however, Hirschfeld<sup>23</sup> had shown that a similar law existed in Lycia and Caria before Roman rule, and Mitteis in like manner,<sup>24</sup> that this was, in Lycia or Caria, a regular Hellenistic statute, he inferred that it was a *senatus consultum* for Rome and Italy; that it was communicated as occasion arose by separate constitutions to the various provinces and cities, or, in other cases, initiated autonomously by the local magistrates. More recent investigation has tended to modify Mommsen's conception of this process, and makes it clear that the reason for the subsumption of the new categories under the head of *sepulchri violatio* lies in the interrelation between the Hellenistic law of the East and the Roman law.

That Roman rule found already existing in Greek law a statute against *sepulchri violatio* is tolerably certain from the law of Solon quoted by Cicero.<sup>25</sup> This law is of striking importance in two respects: the act of *alienum inferens* which, as we have noted, appears not to have been included in the praetor's edict, figures in it; and the offense is already a criminal one; its penalty denominated *poena*.<sup>26</sup> That Roman rule found an altogether similar state of affairs in Phrygia, Paphlagonia, Pisidia, Lycia, Caria, and, indeed, in all Asia Minor and all the Seleucid kingdom, has been rendered indubitable, not only

<sup>19</sup> Vide supra, p. 5.

<sup>20</sup> Dig. 47, 12, 3 et passim.

<sup>21</sup> Wamser, op. cit. 40 ff.

<sup>22</sup> Strafr. 817-818.

<sup>23</sup> Königsb. Stud. I, 136.

<sup>24</sup> Reichsr. u. Volksr. 401 ff.

<sup>25</sup> De Legg. II, 26.

<sup>26</sup> Cf. Thalheim, Griech. Rechtsalt., p. 465.

by the inferences drawn by Hirschfeld and Mitteis from an unbroken series of inscriptions reaching from about 300 B. C. to late Roman times, but by the later studies of Merkel,<sup>27</sup> Keil,<sup>28</sup> Stemler,<sup>29</sup> Arkwright,<sup>30</sup> and Latte.<sup>31</sup> It developed in these regions (as Latte has plausibly argued)<sup>32</sup> from a religio-legal injunction natural to temple-states and priestly local rule, familiar to us from examples in Greece proper.<sup>33</sup> Its legal function, with the gradual secularization of the community and especially with the advent of Greek rule, affirmed itself and completely over-shadowed its religious nature. The status of the crime was constituted, and the procedure regularized by Greek standards, to the norm which is recognizable from the earliest inscriptions. Its official designation was *τιμβωρυχία*, though concurrently *ἀσέβεια* and *ιεροσυλία* occasionally appear. From the first<sup>34</sup> it was liable to a *γραφή*, was an *ἀγὼν τιμητός* with sums prescribed upon the tombs themselves as *τιμήσεις* for the plaintiff to demand against the *ἀντιτίμῃσις* of the defendant. Thus a maximum fine was legally fixed by the possessor of the tomb—this *ὀρισμένον πρόστιμον* is often referred to—and the penalty was *πρόστιμον*, *poena*. The crime was actionable *τῷ βουλομένῳ*, by anyone who saw fit to bring a charge, and regularly, from the earliest example known,<sup>35</sup> the act of inhuming an alien in the tomb is one of those most specifically inveighed against.

Keil in 1908<sup>36</sup> called attention to a group of Nabataean inscriptions of the years 98 B. C.—75 A. D.—i. e. of date before Arabia became a Roman Province, 106 A. D.<sup>37</sup>—which correspond exactly, even verbally, with those which have just been considered. This half-barbaric kingdom clinging to the skirts

<sup>27</sup> Festgabe d. Gött. Juristenf. f. Jhering (1892), 83 ff.

<sup>28</sup> Hermes, XLIII (1908).

<sup>29</sup> Diss. Strassb. 1909.

<sup>30</sup> J. H. S. XXXI (1911), pp. 269 ff.

<sup>31</sup> Heiliges Recht, 1920, 88 ff.

<sup>32</sup> Op. cit. 94 ff.

<sup>33</sup> Latte, pp. 98 ff., Ziebarth, Hermes, 35 (1895), p. 45.

<sup>34</sup> Stemler, pp. 64-65.

<sup>35</sup> C. I. G. 4259, ca. 300 B. C.

<sup>36</sup> Op. cit. pp. 561 ff.

<sup>37</sup> C. I. Sem. II, 197 ff.; cf. Neubauer Stud. Bibl. I, 209 ff.

of the Greek world could have acquired its code, not directly from Asia Minor, but only by the mediation of Palestine, or Syria, or both, with a common Hellenistic culture as a transmitter. The evidence from Syria, for various reasons is disappointing;<sup>38</sup> Palestine is more fruitful of information. There, except the multifarious rules regarding pollution from contact with a corpse, only the explicit prohibitions against allowing the dead to lie unburied or to be cast out of their tombs,<sup>39</sup> were brought back to Palestine by the Jews, amid the scraps of kingly and Patriarchal law at their restoration (ca. 400-425 B. C.). Upon these the elders of town and village, dealing out equity by ancient custom and precedent—a consuetudinary law, fluid and easily adaptable to new situations<sup>40</sup>—built up a growing unwritten law, whose organization and interpretation fell to the scribes, the Soferim. Under the nominal control first of the Ptolemies, then of the Seleucids, a flood of Greek and Asia Minor culture, custom, and usage broke in upon Jewish life. Rock-cut and structural tombs like those of Asia Minor became the rule for the wealthy.<sup>41</sup> Out of the multitude of local and traditional laws on the subject, out of the “takkanot” and “gezerot”, ordinances and injunctions, of earlier courts and scribes, the Soferim in the late third and early second centuries B. C. formulated in correspondence with new needs a law or series of laws which held good for Jewish jurisprudence. While, like all Jewish laws, they were to the fibre religious laws, they were at the same time essentially part and parcel of the larger Hellenistic law. Philo,<sup>42</sup> the Mishna and Talmud,<sup>43</sup> the Halachic law,<sup>44</sup> the Gospels,<sup>45</sup> and finally a series of inscriptions

<sup>38</sup> Hirschfeld, 99, No. 265; Princeton Arch. Exp. Div. III, A2 No. 23, b3 No. 1067.

<sup>39</sup> Deut. XXI, 22 ff., Jer. 16, 4; 22, 18, 25; 33; 8, 2; Tobit. 1, 17; 2, 3-10.

<sup>40</sup> Moore, Judaism 17 ff., Deut. 17, 8-13.

<sup>41</sup> Cf. I. Macc. 13, 25-30.

<sup>42</sup> In Eus. Praep. Ev. VIII, 7, 358.

<sup>43</sup> Sanh. 6, 5 ff.; Baba Bathra, 6, 8; Gohiloth, 15, 7; 2, 3; 3, 10; Nazir, 1, 11 ff.

<sup>44</sup> Massek. Semahot XIII, Kol Bo 114., cf. Shulhan, ‘Aruk. Yoreh De’ ah, 362, 1.

<sup>45</sup> Mat. 27, 60; Luke, 23, 53; Joh. 19, 41.

from various localities in Asia Minor<sup>46</sup> bear abundant witness to its existence and character, and that prominent among its prohibitions was one against the burial of any but the persons designated by the rightful owner in his tomb.

It is now evident that a general Hellenistic law upon violation of sepulchre was in force throughout the Seleucid empire and the semi-independent states in and around it. Numerous examples from Lycia<sup>47</sup> inform us—a fact of which Mommsen could not have been cognizant—that after 43 A. D. (when the confederation of Lycian towns was made part of the empire) there is a definite change in the provisions and language of the tomb inscriptions. References immediately appear to the *διατάξεις* or *διατάγματα* of the emperor, and to payments to the fiscus (*τῷ ἱεροτάτῳ ταμίῳ*). The same phenomena occur in other parts of Asia Minor. Now we have observed that the change in the status of *sepulchri violatio* in Italy cannot be set any earlier than Antoninus Pius or Marcus Aurelius. The explanation, which was tentatively suggested by Keil in 1908,<sup>48</sup> but apparently afterward ignored, is that, when Rome came in contact with the states of Asia Minor, and found the Hellenistic law well established and in use, it simply Romanized—as it did in so many other cases—the previously existing system by separate enactments for the various parts of the East that it separately acquired. The Roman fiscus merely took the place of local temples and magistracies, and Roman justice clothed in its forms the laws that it found, under which *τυμβωρυχία* was a crime. But when in the second century A. D. sterner repression of the offense was required in the West, and aspects of it, familiar in the Orient, but originally of small importance for Italy, manifested themselves, the separate acts effective for certain of the provinces were gathered together and embodied in some sort of constitution, valid for Rome, Italy, and the specified provinces. This occurred under Pius or M. Aurelius, and in this way the inhumation of aliens, which bulked so large in the East, was included in the Roman statute.

<sup>46</sup> Schürer, *Geschichte des Jüdischen Volkes* III, 11 ff.; 54 ff.; Juster, *Les Juifs dans l'Empire Romain* I, 418 ff.

<sup>47</sup> Arkwright, pp. 272 ff.

<sup>48</sup> *Op. cit.* 570.



M. Cumont dates our inscription from the age of Augustus or the early years of Tiberius, and offers two interpretations of it. According to one it is a rescript of Augustus, embodying a general law for the whole empire which abrogates the former edict of the praetors in the matter. We are to think that Augustus, wishing to restore the old Roman religion, revived an ancient law which viewed violation of sepulture as a quasi-sacrilege punishable by death. According to the other, we have to deal with a rescript of Tiberius, bearing only upon Judea. Tiberius, on appeal from Pontius Pilate for advice in the matter of the Jews' accusation that the disciples had carried off Jesus' body at night from the sepulchre, pronounced the act worthy of capital punishment in order to end the trouble. As M. Cumont himself tacitly admits, the only practical justification for this last supposition is that a reply of Tiberius to Pontius Pilate would be a very pretty document to possess. As a matter of fact, the sole basis for believing that the accusation of the guards of Jesus' tomb (which is represented in Mat. 28, 12, as merely an attempt to distract attention from their own somnolence) created any stir among the Jews is the statement of the "*Acta Pilati*", a pious romance of the third century A. D., comparable for veracity with the accounts of Pilate's death as a penitent Christian.<sup>49</sup> The tale found in Justin,<sup>50</sup> and Tertullian<sup>51</sup> and Eusebius,<sup>52</sup> of a report of Jesus' death sent by Pilate to Tiberius, although not impossible, is obviously of slight authority. We scarcely need add that the accounts of the trial of Jesus in the Gospels, narratives of oral tradition, worked over again and again with varying propagandist or apologetic intent, despite the heroic efforts of Mommsen<sup>53</sup> and a legion of other scholars, are incapable of being reduced to coherence.<sup>54</sup>

M. Cumont's other hypothesis is also open to grave difficulties. There is nothing in the inscription to prove or even suggest that Augustus desired to re-establish a capital category fallen into

<sup>49</sup> Tischendorf, *Evang. Apoc.* 813-816.

<sup>50</sup> *Apol.* I, 35, 48.

<sup>51</sup> *Apol.* 21.

<sup>52</sup> *Hist. Eccl.* 9, 5, 1; 7, 1; 1, 9, 3.

<sup>53</sup> *Gesam. Schr.* III, 425.

<sup>54</sup> Cf. Juster, II, 126 ff.

desuetude, and annul the praetorian edicts. Of this ancient death penalty itself there is no trace either in pontifical law or the Twelve Tables.<sup>55</sup> M. Cumont regards a law of Julian of 363 A. D. as containing vestiges of the archaic law, when it declares: "lapidem hinc movere et terram sollicitare et caespitem vellere proximum sacrilegio maiores semper habuerunt",<sup>56</sup> and in the next line equates with these the removal of any ornaments from *triclinia* or porticoes. This law more probably merely makes those petty acts which had always been subject to a *piaculum*, but which lacked the requisite three conditions for constituting *sepulchri violatio*, subject to the Lex Julia *de peculatu et de sacrilegiis*. Nothing is said of *summum supplicium*, and the lex Julia does not prescribe it.<sup>57</sup> Six years later Constantius, as M. Cumont observes, decreed against those who remove the stones, ornaments, or columns a fine of ten librae of gold to the fiscus, and added, "quae poena priscae severitati accedit; nihil enim derogatum est illi supplicio quod sepulchra violantibus videtur impositum".<sup>58</sup> This enactment, again, probably refers only to the praetorian edict, whose "priscae severitas" consisted in the judge's fixing the fine as he thought fit and multiplying it by the number of persons having rights in the action.<sup>59</sup> The idea that Augustus was pitiless against violators of sepulture is contradicted not only by an anecdote of Macrobius,<sup>60</sup> but also, as Cuq has pointed out, by what we know of the feelings of his chief legal advisers on the subject.

But M. Cumont himself has inadvertently made plain the unlikelihood of his interpretation. He has demonstrated that Augustus could not have expected his new law to reap any fruits, and that it must have remained a dead letter. The very enormity of the punishment for an offense often petty would have made it difficult of enforcement. Magistrates would be loathe

<sup>55</sup> Cic. De Legg. II, 23 ff.

<sup>56</sup> Cod. Theod IX, 17, 5.

<sup>57</sup> Dig. 48, 13, 14, 2.

<sup>58</sup> Cod. Theod. IX, 17, 4.

<sup>59</sup> Cf. Cuq, 401-3.

<sup>60</sup> Sat. II, 4, where Augustus so far condoned the action of one Vettius, "cum monumentum patris exarasset", that he merely observed, "hoc est verum monumentum patris colere".

to administer it; appeal to the comitia would make it slow of effect and easy to evade. In short it is difficult to believe that Augustus' zeal for religion could have led him to such chimerical lengths. And finally, the supposed law is mentioned nowhere else: no passage of Gaius or the Digest alludes to it, no known inscription refers to it. As M. Cuq has shown,<sup>61</sup> neither Trebatius nor Labeo knew anything of it. The latter in his commentary on the Edict of the Urban Praetor considered the action *sepulcri violati* as the edict we know to have been in force at the time. Even had it passed out of use upon Augustus' death, it would have been the first precedent fastened upon by third- and fourth-century jurists to justify the death penalty for the crime.

M. Cuq in view of some of these difficulties has advanced a different interpretation. Augustus, in his opinion, simply extended the praetor's edict, by a well-known usage, to an imperial province. The death penalty is explained as an extraordinary measure against those who, after the manner of bandits, did violence to the tomb or its occupants. Although this hypothesis is, unfortunately, based upon the misconception that Galilee formed an administrative part of the Roman province of Syria, it is plausible enough to demand more serious refutation. Now all these attempted explanations suffer from a singular disregard for the historical and religious aspects of the question. The inscription with which they deal was discovered in Palestine, a part of the Roman empire peculiarly different from the rest, and in a particularly rural and conservative district of a special part of Palestine, i. e., Nazareth in Galilee. If the information of Froehner concerning the provenance of the stone is rejected as open to question, all serious attempt to interpret the document must be abandoned. The stone itself is not likely to have been a forgery, and the state of affairs in Palestine and Galilee under Roman rule itself makes clear the limitations which history imposes.

During the years when all of Palestine or parts of it lay under the power of Idumean princes, it or these parts of it were, so far as we can tell, completely autonomous in all matters of civil and criminal jurisdiction. The kings, apparently, usurped at their pleasure power over capital cases at common law, leaving

<sup>61</sup> Op. cit. p. 410.



the Sanhedrin control over religious matters, and to the old local tribunals jurisdiction over non-capital matters.<sup>62</sup> Jewish law continued its independent development after Demetrius II, in 143 B. C., declared the land independent.<sup>63</sup> The autocracies of her Asmonean and Idumean kings were, in regard to the essentials of the law, mere superficial tyrannies. The basis was religious. Its organization, evolved from the precept of Deut. 16, 18, "Judges and officers shalt thou make thee in all thy gates", was the local courts and the Sanhedrin at Jerusalem, functioning as Josephus knew them, thus: <sup>64</sup> "as rulers let each city have seven men long exercised in virtue and in the pursuit of justice, and to each magistrate let there be assigned two subordinate officers of the tribe of Levi . . . but if the judges see not how to pronounce upon the matters set before them . . . let them send the case up entire to the holy city and let the high priest and the prophet and the Sanhedrin pronounce as they see fit." It was the continual transgression of this hallowed system which maddened the Jews against their kings, and led them to appeal to Rome.<sup>65</sup> In giving them satisfaction the emperor surely did not lessen Jewish authority. If anything, under the procurators these powers were rather extended than restricted. It has, in fact, been conclusively shown <sup>66</sup> that the Sanhedrin in matters of religion could apply all the penalties prescribed by Jewish law, including the various sorts of capital punishment, and could itself have them executed. The Mishna and Talmud,<sup>67</sup> Philo,<sup>68</sup> and Josephus <sup>69</sup> show us the Sanhedrin exercising all these rights freely. Now this is equivalent, since all Jewish law was religious law, to saying that in all affairs which concerned Jews the Jewish regulations were supreme. And we find, indeed, that save in respect of pagans and Roman citizens, over whom, of course, the procurator had full authority, and in Palestine the *ius gladii*, all the recorded cases of procuratorial action, save one,

<sup>62</sup> Juster, II, 128 ff.

<sup>63</sup> Bouché-Leclercq, Hist. des Séleucides, pp. 360 ff.

<sup>64</sup> Ant. IV, 214-216.

<sup>65</sup> Jos. Ant. 17, 13, 2-3; B. I. 2, 7, 3; Dio Cass. 55, 27.

<sup>66</sup> Juster, II, 132 ff.

<sup>67</sup> Mishna Sanh. 7, 2; Talmud Sanh. 52 B; Sota 8 B.

<sup>68</sup> Legg. 39.

<sup>69</sup> Ant. 13, 10, 6; 18, 1, 4; 18, 3, 5; 20, 9, 1.

are in cases of sedition, against rebels, i. e., where Roman authority was at stake. And in that one instance the procurator Cumanus (48-52 A. D.)<sup>70</sup> arrested the elders of Bethhoron for not pursuing *rebels* who had held up a Roman official.

After 70 A. D.<sup>71</sup> it would seem that in general all criminal and civil cases were in the hands of the Roman governor. In strictly ritual offenses against Jewish religion the Sanhedrin or the Ethnarch retained their powers except in matters capital, and even in such cases they appear to have been given free rein subject to the governor's supervision.<sup>72</sup> But in the small up-country places exclusively inhabited and ordered by Jews — as such Sepphoris and Nazareth of Galilee are specifically mentioned<sup>73</sup> — there were Jewish authorities only, who meted out local justice without Roman interference, though appeal to a Roman court was allowable.<sup>74</sup> This regime, as Chajes and Büchler have shown, was perpetuated save for the decade of harsh repression after Hadrian's war (138-150 A. D.).

The three critical points for the inscription's interpretation are: (1) the nature of Roman rule in Galilee and in Nazareth in particular; (2) that a death penalty is involved; (3) the phrase *καθάπερ περὶ θεῶν*. It is at once clear that at no time during the reigns either of Augustus or Tiberius could such a law have been promulgated in Galilee, simply because over this period Galilee was an independent "confederate" state, first under Herod the Great and then under Herod Antipas. In the realms of such kings, created and upheld in independence by the emperor and the senate for the purpose of securing the frontiers, no constitution of the emperor's was valid. The measure of the Herodians' legal autonomy is indicated by the fact<sup>75</sup> that there was a vexed question of extradition of criminals who had fled to the surrounding Roman provinces. Further,

<sup>70</sup> Jos. B. I. II, 12, 2.

<sup>71</sup> Juster, II, 149 ff.

<sup>72</sup> Origen, Epist. ad Africanum, 14.

<sup>73</sup> Epiphanios, Adv. Haer. I, 2, 11.

<sup>74</sup> Chajes, Rev. d'Etudes Juives, 39 (1899), 39-52; Büchler, Polit. and Soc. Leaders in the Jewish Community of Sepphoris, 1909, 21-33; Lewy, Verhandl. der 33. Philol. Versamml. (1879, 86). Cf. Askowitz, Toleration of Jews under J. Caesar and Aug., Columbia, 1915, 190 ff.

<sup>75</sup> Jos. B. I. 1, 24, 2.

the conclusion forces itself that there were just three separate periods within which our stone might have been set up. The years 30 B. C. to 39 A. D.—the reigns of Herod and his son—must be eliminated, and accordingly also the five following years, comprising the reign of Agrippa I. From 44 A. D. to 63 A. D. Galilee along with the rest of Palestine was administered by the Procurators. Their unremitting and scrupulous regard for the Jewish religion and Jewish law, the effect which the least abrogation of either had upon the people, the evidence that only in cases of actual sedition the death penalty was administered, the virtual autonomy of the local courts and the Sanhedrin in all matters that affected Jews are a matter of record. When these are compared with the provisions of the inscription—a penalty of death, and a judgment as for a crime against the *gods*, and when it is recalled that the Jews had their own statute of *τυμβωρυχία*, it is impossible to suppose that any Roman emperor or proconsul, in the face of all the facts we possess, was so temerarious as to ride rough-shod over existing Jewish law and religion, by proclaiming a death penalty for a crime already comprehended in the sacred law, and that with a reference to gentile gods, *θεῶν*. Such an insult to Jewish feeling, an insult calculated to precipitate a general insurrection, was exactly what Roman policy did its utmost to avoid.

And after 70 A. D., with Galilee part of the praetorian province of Palestine, almost all power over criminal acts had, it is true, been taken from the Sanhedrin. We do not know whether jurisdiction over *violatio sepulchri* went with the rest, or whether as a primarily cult law it was retained. But we do know that Nazareth was a peculiarly un-Romanized part of Galilee and that its judges of Jewish blood dealt the old justice to their Jewish brethren.<sup>76</sup> And we know that the fifty-odd years before the great revolt were the most precarious that the authority of Rome had had to experience. Palestine was a temporarily crusted volcano of nationalism and religious fervor. Jewish political and religious life, after the destruction of Jerusalem and the cessation of the Sacrificial worship, were centered in Jabne and in Judea, where the schools of Rabbis and Pharisees

<sup>76</sup> Vide supra, p. 14, note 74.

shaped Jewish law into the forms we know as the Mishna. It was the Ethnarch of the court at Jabne whose power, Origen said, was so great *ὥς μηδὲν διαφέρειν βασιλεύοντος τοῦ ἔθνους*.<sup>77</sup> Here the old temple didrachm was still paid, and hither all Palestine looked for the Messiah. Roman governors in respect to Jewish custom trod lightly and carefully. The mere rumor that Hadrian contemplated erecting a heathen temple upon the ruins of Jerusalem was sufficient to convulse the nation in the revolt of 132. One would scarcely look for unprecedented application of death penalties, and casting foreign *gods* in the face of Jewish monotheism at this juncture.

There are left, then, only three periods, in one of which to place the inscription. The first is the three or four years from 48 B. C. to 46 or 44, during which, under Julius Caesar's provisional regime, Herod was Roman governor of Galilee and Coele Syria.<sup>78</sup> The second is the years from October 67<sup>79</sup> to 70 or 71 A. D., from the subjugation of Galilee in the great war to the re-establishment of Roman rule on a peace footing. And the third is the decade roughly from 135 to 145 A. D., the decade of brutal repression between the crushing of the revolt and the gentle restoration under Pius. The fixing upon one of these brief epochs must be governed principally, no doubt, by the terms of the document, but two of the possible dates first eliminate themselves when faced with the historical probabilities.

On the assumption that the first period (48-46 or 44 B. C.) is the correct one, our exegesis would most probably be something as follows. The document is either a rescript of Julius Caesar, or an Edict of Sextus Caesar, governor of Syria, more probably the former, since its language is the familiar speech of the *epistula* (first person *ἐγὼ κελεύω*; elision *ἐπ' ἀδικία*), as both Cumont and Cuq have observed, and since we know that Caesar was in the habit of issuing such ordinances and obtaining Senatorial confirmation later.<sup>80</sup> The heading *διάταγμα* offers only an apparent difficulty; for while on the one hand the word

<sup>77</sup> Epist. ad Africanum, 14.

<sup>78</sup> Jos. Ant. 14, 160; B. I. I, 206 ff.; Bellum Alex. 66, 1.

<sup>79</sup> Jos. B. I. IV, 1, 2-10.

<sup>80</sup> Jos. Ant. 14, 10, 3-4; 14, 8, 5; 14, 10, 5; 14, 10, 6-7; 14, 10, 10. Cf. Juster, I, 135-141; C. I. G. 2734 D.

regularly serves to translate the Latin *edictum*,<sup>81</sup> on the other it seems in common parlance to have signified any imperial ordinance or law. In this loose sense it appears upon the tomb inscriptions of Asia Minor. Similarly it occurs in the Greek title of Philo's *De Specialibus Legibus*, *Περὶ τῶν ἐν μέρει διαταγμάτων*. The bare heading *Καίσαρος* is disconcerting, but circumstances would go far to explain it, and we possess another letter of Caesar's, headed merely *γράμματα Καίσαρος*.<sup>82</sup> It will, let us suppose, have been hastily promulgated by Caesar from Syria or elsewhere to his cousin Sextus to be effective for all the territory which, as an emergency measure, was loosely under his control, i. e., Syria and Palestine. And it may be accounted for by a general increase of marauders of this sort during the bandit rule in Galilee and the civil disorders of Syria. Its primary reference to Syria might explain the *περὶ θεῶν*, and it may be conceived of as forwarded by Sextus to Herod, and put up by Herod in Galilee with an eye to discouraging depredations of this sort among his unruly subjects,—the last four lines, perhaps, a postscript of Herod's own, laying on the death penalty. That these lines will bear this interpretation, appears in the use of *καθόλου* to sum up what has been said before and introduce a new clause,<sup>83</sup> in the repetition of *μετακινεῖν* which figured at the beginning, and the change of subject which may be felt as implicit in the second *ἐγώ*. Against this explanation, however, it may be urged that not enough is known about contemporary conditions in Syria and Galilee to say that such measures were justified, that even Herod was far too shrewd to infuriate his new subjects by a gratuitous insult to their religion even though the times were exceptional; and that it is not at all likely that Caesar, in the brief respite between his Alexandrian and Pontic campaigns, when overwhelmed with much weightier business, should devote his attention to so trivial a detail.

In the second period (67-71 A. D.), the law would be interpreted as a wartime measure, a rescript either of Nero or Vespasian communicated respectively either to Vespasian in the one case or Titus in the other, part of the temporary military

<sup>81</sup> Plut. Marcell. 24; Wilcken, *Zeit. d. Savignystiftung*, 42 (1921), 129 ff.

<sup>82</sup> C. I. G. 2734 D; cf. Or. Gr. Inscr. 454 D.

<sup>83</sup> Cf. S. I. G. 762 D. 38; Polyb. 1, 4, 7.



rule of conquered Galilee, while the reduction of the rest of Palestine was in progress. Its occasion would have been the same as in the former case—to put an end to the indiscriminate activities of *τυμβωρύχοι*, to whom the absence of civil government had given free play. The reference to plural *gods* would then be connected with the persecution of the Jews, reported in Eusebius<sup>84</sup> to have been alleged by Hegesippus, and the death penalty would be self-explanatory in the nature of the situation. Titus, when in command in Palestine (70-71 A. D.) is repeatedly denominated by Josephus *Kαῖσαρ*, as heir of Vespasian; and all the evidence in general, even apart from the name's application to Augustus, seems to point to the fact that, particularly in Palestine, *Kαῖσαρ* was the current term for the reigning emperor. So it is of Augustus, Tiberius, Caligula, Claudius, and Nero in the Gospels, Acts, and Epistles,<sup>85</sup> in Nicolaus of Damascus and Josephus.<sup>86</sup> In a more or less unofficial local copy of the formal rescript, as our example must in any case be supposed to be, this quotidian usage would not be surprising. But, once more, this exposition of the situation lays itself open to the same criticisms as the former. There is no mention of war in it. It is scarcely a problem that the emperor in the heat of the struggle would have found time to devote his attention to. And even if he be assumed to have done so, so flagrant a flaunting of Jewish sentiment would have been neither prudent nor politic in one whose interest it was to keep the country at his back as peaceful as possible. What is more, it ill accords with the express statement of Josephus<sup>87</sup> that when the people of Tiberias opened their gates to the legions they received honorable and merciful treatment, with Vespasian's scruples about taking vengeance on the rebels in other places,<sup>88</sup> and with the fact that Sepphoris, three and one-half miles from Nazareth, was throughout the war in sympathy with Rome.<sup>89</sup>

<sup>84</sup> Hist. Eccl. III, 12.

<sup>85</sup> Acts 25, 10; 25, 21; 26, 32; 27, 24; 28, 19; Luc. 20, 22, 25; Mar. 12, 14; 12, 17; Mat. 22, 17; 22, 21; cf. Thes. Ling. Lat. Onomast., s. v. Caesar; Preisigke, Wörterbuch, s. v. *Kαῖσαρ*.

<sup>86</sup> Fr. H. G. III, 427 ff.; Jos. Ant. 14, 8 ff.

<sup>87</sup> B. I. III, 9, 7-8.

<sup>88</sup> B. I. III, X, 1-2.

<sup>89</sup> B. I. II, 18, 11; III, 2, 4; 4, 1; Vita 22 ff., 65 ff. For examples of

Having recourse, then, to the last of the three possible dates, it must be assumed that our inscription comes from the decade after the stamping out of the revolt of 132-135. The facts are well known. All Palestine was a desert. As Dio Cassius,<sup>90</sup> with unabashed exaggeration, has it, fifty fortresses, nine hundred and eighty-five villages were destroyed; 580,000 Jews fell in battle, and the number who succumbed to wounds and famine was not to be reckoned. According to St. Jerome,<sup>91</sup> at the annual market at the Terebinth of Hebron, so vast were the multitudes offered for sale as slaves that a Jew was of no more value than a horse. "Hadrian's market" it is called in the *Chronicon Paschale*.<sup>92</sup> The plough was driven across Jerusalem, and the Roman colony, Aelia Capitolina, founded there. No Jew was thereafter allowed to enter the city's territory on pain of death. On the site of the old temple a temple of Jupiter Capitolinus was built, within which stood a statue of Hadrian. All this meant the complete ethnicizing of Jerusalem. The rest of the land was dealt with in similar fashion. Our sources are slender and not important, but they tell us this much surely: that circumcision, the observance of the Sabbath, the study of the law, even to so much as owning a copy of it, were forbidden.<sup>93</sup> These prohibitions are equivalent to a prohibition of Jewish religion generally.<sup>94</sup> Hadrian's enactments proved only temporary; they were repealed by Antoninus Pius. But until that time they were enforced by the presence of two legions in Palestine and a consular governor. The Jews were now juridically equals of all other Asiatics under Roman rule. *οἱ ποτὲ Ἰουδαῖοι* they call themselves in an inscription from Smyrna of this epoch.<sup>95</sup> The communities in the Diaspora were for the time merely collegia. Jews at home were undoubtedly forced to take

Vespasian's generally sympathetic attitude toward Jewish religion, v. Jos. B. I. 7, 6, 6; 4, 8, 1; Ant. 12, 3, 1; cf. Derenbourg, *Palest.* pp. 302 ff.

<sup>90</sup> 69, 4.

<sup>91</sup> Ad Zach. 11, 5; ad Jer. 31, 15.

<sup>92</sup> I, 474.

<sup>93</sup> See notes 4 and 5, following.

<sup>94</sup> Hamburger, *Real-Enc. f. Bibel u. Talmud*, 2. Abt. 328 ff.

<sup>95</sup> C. I. G. 3148; cf. Momms. *Schr.* III, 420 ff.; Juster I, 419; Mitteis, *op. cit.* 34, 94; Ramsay, in *Expositor*, 1895, 272 ff.

the oath and do at least nominal reverence to the cult of the emperors.

If an imperial rescript promulgated such legislation at such a time, it did so because a people for three years ransacked by the most terrible privations, left stripped of their ancient legal prerogatives, were unable to cope with the plague of *τυμβωρυχία* in its most hideous forms, which always in antiquity made itself felt in similar circumstances. Hadrian, pursuant to his policy, meant to stamp it out with a ruthless hand. He declared it a crime equal to that of refusing to worship the imperial cult, a crime for which under the category *laesae religionis*, a form of *laesae maiestatis*, the penalty was death. In the inscription of Gytheion,<sup>96</sup> for example, the imperial family is designated *θεοί*,<sup>97</sup> and death prescribed for him who refuses them reverence. Every Jew would be peculiarly alive to these consequences, and the emperor grimly adds the words, *πολὺ γὰρ μᾶλλον δεήσει τοὺς κεκδημένους τειμῶν*. Attention has long since been called to the emperor Gordian's attempt<sup>98</sup> to justify *violatio sepulchri* as a capital crime under the category *laesae religionis*. How flexibly this ambiguous statute might be construed is clear from the fact that Augustus invoked it against the adulterers of his daughter and grand-daughters,<sup>99</sup> that synonymously with *laesae maiestatis* and *sacrilegium* it was used against Christians and Manichaeans,<sup>100</sup> and that in cases of apostasy from the national cult, whether to Judaism or any other *superstitio externa*, it was made use of by Tiberius, Nero, Domitian and Septimius Severus.<sup>101</sup> Hadrian then, as part of his reactionary program, availed himself of this law, perhaps for the first time, to mete out death to the violators of tombs, and in the four lines at the inscription's conclusion either he or his governor in Palestine, defined more sharply his meaning in the phrase *κεφαλῆς κατάκριτον ὀνόματι τυμβωρυχίας*: *condemned to death and (as has never hap-*

<sup>96</sup> Kougeas, *Ἑλληνικά* I, 1928, 7-44.

<sup>97</sup> Lines 11, 18, 29, 44.

<sup>98</sup> Cod. Iust. IX, 19, 1.

<sup>99</sup> Tacitus, Ann. 3, 24.

<sup>100</sup> Momms. Strafr. 567 ff.

<sup>101</sup> Vita Sept. Sev. 17; Jos. Ant. 18, 3, 5; Tacitus, Ann. 13, 22; Suetonius, Dom. 12.



pened before) under a charge of *violatio sepulchri*. "Just as those who refuse to worship the cult of the emperors are remorselessly slain, so will those be who pillage tombs." It is, perhaps, not entirely irrelevant, that it was probably at this time that the name of Sepphoris, Galilee's largest town and the nearest to Nazareth, was changed to Diocaesarea,<sup>102</sup> with the added qualification, Hadriana.

Now M. Cumont was quite right in asking why, among the articles of the law of *τυμβωρυχία* enumerated in our document, the unrightful burying of an alien person in the tomb does not figure, when it is prominent in the enactments of the late empire and undoubtedly appeared in the *senatus-consultum* of Pius or M. Aurelius. And with even more reason the same question may be brought when it is recalled that in Asia Minor this feature is of prime importance on the inscriptions, and that among the Jews<sup>103</sup> it was perhaps the pollution most dreaded. M. Cumont has found an explanation in the technical quibble of certain jurists,<sup>104</sup> who held that only such ground as was actually occupied by a corpse became *religiosus*, so that other corpses might be laid immediately above or beside this particular spot without incurring pollution. M. Cuq, rightly dissatisfied with this solution, has pointed out that the reason why this provision does not appear in the inscription is that this type of *violatio sepulchri* was not embraced in the praetor's edict which was in force at Rome. This explanation becomes all the more clear with the consideration that Hadrian (contrary to the practice of his predecessors, who took over the provisions of the localities whose laws they legalized), ignored the Jewish statute and merely extended the Roman praetor's edict to Palestine, simply because legally and for him the Jewish code was no longer existent, and could not be taken account of. The extension of the praetor's edict to Palestine was, of course, facilitated by the institution of the *edictum perpetuum* which Hadrian had just carried through.<sup>105</sup>

<sup>102</sup> Epiphanius, *Adv. Haer.* 30, 11; Hieronymus, *Onomast.* 88; Hege-sippus de *Bell. Iud.* I, 30, 7. For coins of Pius, see De Sauley, 325-330, pl. 17; cf. Gregorovius, *Der Imperator Hadrianus*, 153.

<sup>103</sup> Juster, I, 479 ff.

<sup>104</sup> Dig. XI, 7, 2, 5; XI, 7, 44.

<sup>105</sup> Lenel, *Das Edictum perpetuum*; Momms, *Zeitschr. f. Rechtsgeschichte*, IX (1870), p. 96.

M. Cuq's exegesis of the phrase κεφαλῆς κατάκριτον has discovered a divergence in aim between the first and last parts of the inscription sufficient to prove that, whereas the καθάπερ περὶ θεῶν merely denotes ordinary *sepulchri violatio* as a crime against *res religiosae*, μετακινεῖν of line 20 introduces an idea of criminal violence; and he appeals to Ulpian:<sup>106</sup> "adversos eos, qui cada-vera spoliand, praesides severius intervenire, maxime, si manu armata adgrediantur, ut, si armati more latronum id egerint, etiam capite plectantur", to affirm that it was possible for Augustus to make the penalty for the use of violence upon sepulchres capital. But the distinction, based on the use of the word μετακινεῖν, does not appear to be corroborated by the text, when it is observed that μετακινεῖν also appears in the fourth line of the inscription, that the details enumerated beneath it are undoubtedly meant to be sections under the general heading; and that καθόλου, which, significantly enough, is not translated in M. Cuq's rendering, far from creating a distinction between the two parts of the rescript, expressly alludes to all that has gone before, and introduces the generalized pronouncement upon it. Indeed the μετακινεῖν of line 22 purposely echoes the one at the head of the ordinance. The law appealed to by M. Cuq is a rescript of Septimius Severus—another of the third century attempts to find a category for *sepulchri violatio* as a capital crime. In this instance, it is an effort to enlist the services of the *Leges Juliae de vi publica et de vi privata*.

M. Cumont, motivated no doubt by the same procedure with regard to the inscriptions of Cyrene,<sup>107</sup> has thought that this was a translation—a "pénible, mot à mot version maladroite" of a Latin original, "probablement l'oeuvre de quelque Syrien hellénisé,"—and has offered a translation of it back into its pristine form. This, if it were true, would not be a very favorable argument for the rescript's authenticity, of which M. Cumont is convinced. M. Cuq, then, is quite justified in asserting that it is not odd to find phrases unsuited to literary composition in such a document, and that the terms in it which dismayed its first editor were technical ones in good use in the

<sup>106</sup> Dig. XLVII, 12, 3.

<sup>107</sup> Notiz. Arch. Roma, Fasc. IV (1927), 1-67.

legal Greek of the empire. It can, in fact, be shown that we have in the language of Hellenistic or imperial law a precedent for virtually every expression here employed, and that, if not redacted by the *ab epistulis Graecis* at Rome, the piece was composed by someone thoroughly familiar with the usage of his day.

In any event it may be affirmed that the language of the rescript is the regular law Greek of the imperial period, employed, in fact, with such entire familiarity as to presuppose an idiom fully constituted, which it scarcely was until considerably after the age of Augustus. To judge from *κατάκριτον* and the currency of certain other phrases it may be later than the first century A. D.<sup>108</sup> The vagaries of spelling ( $\mu > \nu$ ,  $\iota > \epsilon$ ,  $\epsilon \iota > \iota$ ,  $\omicron > \omega$ )<sup>109</sup> are to be looked for in any inscription after about 200 B. C. Perhaps the complete lack of consistency in the variations may indicate a relatively advanced date.

The problem of the style of cutting in the absence of anything remotely approaching a continuous series of texts from the same region, is next to impossible to elucidate. Only for Attica are there dated texts in numbers sufficient to lend probability to an estimate of the date of a stone from there. Our inscription is from Palestine, a province from which, save for a handful of military diplomas and dedications to Hadrian—almost uniformly in Latin—and a few battered tombstones and ossuaria, no other Greek inscription of importance, save one, has come to light. M. Cumont has pronounced the letter forms Augustan. He has not thought it necessary to advance any reasons for this view beyond remarking, as is certainly correct, that the inscription bears little resemblance to either the Cyrene inscription,<sup>110</sup> the piece from Gytheion,<sup>111</sup> the Athenian examples of the Augustan

<sup>108</sup> For detailed comment on text, see note at end of article.

<sup>109</sup> Gemination of  $\phi$  (l. 9) and  $\kappa$  (l. 16) are definitely late phenomena (cf. I. G. ad R. R. P. III, 739, III. 90, VI. 14, "*γέγραφθεν*"; ibid. VIII. 114, "*γεγραφφός*", fr. Rhodopolis in Lycia, after 153 A. D.; and I. G. XIV, 1702, 6, "*έκκτον*", Rome; I. G. III. 1161, 7 and 8, "*Δεκκίος*", Attica). The gemination of the  $\kappa$  may, however, simply be due to its position at the end of the line in a divided word, by inadvertent repetition.

<sup>110</sup> Op. cit. figs. II-IV.

<sup>111</sup> Kougeas, op. cit. figs. IV and V.

period<sup>112</sup> or a certain Pontic stone.<sup>113</sup> It would be unpardonable temerity to question his judgment had it not appeared that, if there is to be an attempt to interpret the piece at all, we must suppose it to be of much later date than M. Cumont has intimated. As it is, it is merely suggested that this question is still open for a more competent epigraphist to deal with. The letters of our inscription are, on the whole, extremely broad, clear, and easily read. The cutting, if one may judge from M. Cumont's facsimile, is slovenly and the characters vary somewhat in size, but the general aspect is one of amplitude and breadth. On closer view the forms exhibit without apparent consistency a mélange of all the peculiarities present in Greek epigraphy after the second century B. C. There is in one form or other every variety of apex-writing we know of: swallow-tails, *zierstriche*, ornamental upward or downward prolongations at the end of lines, λ's, α's, δ's, with prolonged hives, σ with one or other of the oblique lines prolonged, φ and ρ which extend above and below the other letters, and are sometimes also cut with apices, μ with straight or slanting sides, ω with straight or downward turning flanges, β lengthened and narrowed, odd quasi-ligatures where an ι and an α, an η and a ρ, an η and a ν are joined by a short bar. There are also certain consistencies: the θ is always made with a short bar, never a dot or a cross-bar; the κ always shows two short legs; the α always has the bent crossbar; the φ and ρ always project above and below, etc. In short, it is just what we should expect in a local and not too skilful stonecutter of relatively late date, with the accumulated vices of Hellenistic and imperial lettering behind him, who wished to reproduce all the elegances he had observed in more perfect examples. Now every one of these peculiarities can be duplicated in the Augustan period—though hardly, I think, in such heedless profusion as here—as a moment's application to a volume of facsimiles like Graindor's,<sup>114</sup> Kern's,<sup>115</sup> or the examples in Wilhelm<sup>116</sup> will show, but they can equally well be duplicated in Hadrian's time.

<sup>112</sup> Graindor, *Alb. d'Inserr. Att.*, 1924.

<sup>113</sup> Cumont, *Inserr. Pont.* 66.

<sup>114</sup> *Op. cit.*

<sup>115</sup> *Inserr. Graecae*, 1913.

<sup>116</sup> *Beitr. zur. Griech. Inschr.-Kunde*, 1909.

And there is equal variety among inscriptions from different parts of the empire at either date.

The single Augustan inscription from Palestine, i. e. that upon the screen of Herod's temple forbidding trespass beyond it,<sup>117</sup> is comparable for the slenderness and elegance of its forms, as well as for the clean regularity of its cutting with the best Attic and Pergamene examples of Hadrian's day, but is no more comparable to the Nazareth rescript, than any number of other pieces of Augustan or Hadrianic date, nor do the circumstances of its situation favor such comparison.<sup>118</sup>

If our inscription differs from Augustan specimens, for example, and is closer to Hadrianic in any one respect, it is in the quality which was noticed first, the breadth of its forms, their general precision for all their slovenliness, and the freedom of its spacing. All this is characteristic of the second century A. D. The Cyrene stone is pinched, precious, crotchety and over-teased for the closeness of its cutting. The Gytheion piece is crowded, irregular, its letters cramped into unwonted ligatures, with a general lack of definition. I believe it may be said that there is just as good, if not better, presumption that our inscription, making the requisite allowances for its provincial origin, is Hadrianic as that it is Augustan.

If the inferences drawn from the historical data and from the stone itself have been correct, it remains to fix more precisely, if possible, the occasion and circumstances of its erection. Hadrian's ordinance would, manifestly, have been calculated to protect those who, during the chaotic days of the rebellion and the years immediately succeeding had suffered and were suffering the most at the hands of violators of sepulture. These persons are not likely, in the first instance, to have been Jews. The tombs and other property of the gentile inhabitants of Palestine would, assuredly, have been the most endangered. Greeks, Romans, Syrians would have found themselves most exposed during the war to open depredation, and after it to clandestine violence. It need only to be recalled that in Galilee alone—the

<sup>117</sup> Buthe, *Kurzes Bibelwörterb.* 657, Abb. 198; cf. Dussaud, *Mon. Palest.*, p. 26, fig. 8 (ca. 6 A. D.).

<sup>118</sup> Note that iota adscript, absent upon the Nazareth stone, is still present on the temple inscription.



most thoroughly Jewish district of Palestine—Tiberias was from its founding avowedly a city of gentiles, of Hellenistic municipal organization,<sup>119</sup> and at the suggested date of our inscription possessed a *Hadrianeum*.<sup>120</sup> Ptolemais on the coast had been a Roman colony since Claudius.<sup>121</sup> Capernaum in the North had its quota of retired legionaries.<sup>122</sup> Scythopolis in the South<sup>123</sup> and Gadara just across the Jordan were centres of Hellenism and Romanism,<sup>124</sup> the latter a Roman colony. Sepphoris, to which the ten migrations of the Rash ha Shanah<sup>125</sup> had not yet brought the rabbinical synod and with it the centre of Jewish life, had had, since Herod Antipas, an extremely mixed population,<sup>126</sup> had since Vespasian been garrisoned with Roman troops,<sup>127</sup> and now called itself Diocaesarea and Hadriana.<sup>128</sup> We shall not go too far in conceiving that, just as Vespasian had granted land to 800 legionaries near Emmaus,<sup>129</sup> so he, and Hadrian after him, rewarded their retired soldiers with farms in other parts of the province.

It was, then, primarily in the interest of these subjects, most of them not yet Roman citizens nor protected by the national and racial ties which bound the Jews about them together, that Hadrian issued his rescript. It contained, perhaps, solely the prohibition against *violatio sepulchri*, or, perhaps, merely included it among other provisions; and copies of it were, doubtless, set up (or filed in the archives) at Aelia and each of the lesser capitals—for Galilee at Tiberias or Sepphoris. But it is evident that our stone is not one of these official copies of the

<sup>119</sup> Jos. B. I. II, 21, 3-9; Vita, 12-34, 55-68.

<sup>120</sup> Coins in Mionnet V, 483 ff.; cf. Gregorovius, op. cit. p. 153.

<sup>121</sup> Pliny, N. H. 19, 75; Dig. XV, 1, 3.

<sup>122</sup> Mat. IV, 3, VIII, 5-17; IX, 1; XI, 23; XVII, 24; Mar. X, 21; Luke VI, 1; cf. Derenbourg, Ess. sur l'hist. et la géogr. de la Palest., p. 362.

<sup>123</sup> Jos. B. I. II, 18, 1-4; VII, 8, 7; Vita 6; cf. Conder-Kitchener Surv. of W. Palest. 106-07.

<sup>124</sup> C. I. L. III, 181; cf. Renan, Mission de Phénicie, p. 191.

<sup>125</sup> 31 a-b; cf. Moore I, 93-4.

<sup>126</sup> Jos. Ant. 18, 2, 1.

<sup>127</sup> Jos. Vita 74, B. I. III, 2, 4; 4, 1.

<sup>128</sup> Vide supra, p. 29, n. 4.

<sup>129</sup> Jos. B. I. VII, 6, 6.

document. The regular prescribed forms, date, titles, salutation, introduction are totally wanting. In this respect it is comparable with no other known rescript. On the other hand, its very brevity and informality give it the look of having been excerpted from a more complete whole, and that not for any official purpose. We are led then to presume that the extract was the work of a private individual, for some private purpose. This can only have been to protect his personal or family tomb, by reminding malefactors of the new law. We are led further to presume that this individual was a gentile, some non-Jewish colonist or citizen of Nazareth or Sepphoris, who seized the opportunity afforded by the freshly promulgated ordinance to set up before his tomb a tablet bearing its pertinent provisions, and headed by the words *διάταγμα Καίσαρος*, the colloquial phrase, immediately comprehensible by every one. The stone's dimensions are just those which would have fitted it for this purpose, and as such, it no doubt, served until, its usefulness gone with the restoration under Pius, a later age consigned it to the stone-mason.

NOTE ON LANGUAGE OF THE INSCRIPTION SUPPLEMENTARY TO P. 23.

*ἀρέσκει μοι* (l. 1) is not a translation of *placet mihi* and equivalent to *δέδοκται μοι* or *ἔδοξέ μοι*. The use of *ἀρέσκει* impersonally with the dative, to express the opinion or resolution of some public body or official upon a controverted question goes as far back in Greek as Herodotus (8, 19) and Aristophanes (Eq. 1311). It occurs in inscriptions of the Imperial period (S. I. G. 827 D 10; 1109 D 20; 834 D 12, 847 D 5). In Papyri of the same period (Maspero, Pap. Gr. 97, 53; Oxyr. I, VII; Brit. Mus. Pap. IV, V), and in the Cyrene edicts it is employed three times beside *δοκούσι μοι* with evident distinction in force. At a later date it appears in the Novellae of Justinian (Nov. 22, c. 41).

It need not be assumed that the clause *ὅτινες . . . ὀκείων* in ll. 3-4 is ungrammatical and represents an error of the translator about the case of Latin *quae* and the voice of the verb. It is the familiar anacoluthon, of which the papyri know so many examples (Mayser, II, 260 ff.).

*μετακινεῖν* is the word regularly employed in the inscriptions of Asia Minor, and is the one used by Philo (Euseb. Praep. Ev. 8, 17), when he alludes to the Jewish law of *τυμβωρυχία*.

*ἐξεργιφότα* corresponds to *ἐκθάπτω* frequent in Asia Minor inscriptions. That *ἐκρίπτειν* was current in this sense is shown by its use in Pausanias I, 9, 8 (*τὰς θήκας τῶν νεκρῶν ἀνελόντα τὰ ὅσα ἐκρίψαι*).

*δῶλωι πονηρῶι* (l. 10) has not, as Cuq notices, the vague signification of *fraudulently*, but probably aims specifically at excluding anyone not

legally *doli capax*. That the phrase had long since become current in Greek is shown by its figuring three times on a Lesbian inscription of 129 B. C. (S. I. G. 693 D 2, 6, 10); three times on the monument of Paulus Aemilius set up at Delphi (B. C. H. (1924), v. 48, p. 81); and four or five times in Hellenistic papyri (Berl. Pap. 326, II, 3; Brit. Mus. Pap. 77, 65; Maspero, Pap. Gr. 151, 222).

Just as δώλῳ πονηρῶι represents the second element necessary for making *sepulchri violatio* actionable, so ἐπ' ἀδικίαι (l. 11) is the third, the intent to injure. Here again we find a regular Hellenistic law term. As such it appears in 288-81 B. C. on a letter of Lysimachus to the cult of Samothrace (ἐπ' ἀδικίαι τοῦ ἱεροῦ, S. I. G. 372 D 10); in the Papyri of the second century B. C. in the frequent phrase ἐπ' ἀδικίαι τοῦ δέινα. Its continued usage in the empire is attested by a second century A. D. *Lex Frumentaria* of Samos (S. I. G. 976 D 73), and by the celebrated edict of Tiberius Julius Alexander (Or. Gr. Insc. 669) as well as numerous papyri. (Tebt. Pap. 104, 23; Mus. Oberhess. 2, 25; Berl. Pap. 1123, 4; Oxyrrh. 1203, 24.)

The clause κατὰ τοῦ τοιούτου . . . θρησκείας may present some difficulty at first. It is a sharply abbreviated antithesis, and in translating it one must invert the order and insert some phrase like ἐπὶ τοῦτοις after καθάπερ. But the sense is perfectly clear, and nothing is achieved by supposing a "scribal error", or that words have been lost.

δεήσει (l. 17) which is read on the same monument at Delphi quoted above, has not, as M. Cuq points out, the value of *decebit*, but expresses, not a propriety, but a juridical necessity, and really is the equivalent of *oportet*.

μηδενὶ ἐξέστω (l. 19) is so common a Greek legal phrase as to deserve no comment. It figures literally scores of times on the tomb inscriptions of Asia Minor; Dittenberger's index is a sufficient witness.

κεφαλῆς κατὰκριτον is a bit more of a problem. κεφαλῆς in the sense of *roena capitis* is certainly Roman in origin. But it occurs twice on the Cyrene edicts (ὑπόδικοι κεφαλῆς; κεφαλῆς εὐθύνειν), and twice in the Papyri of the second and third centuries (Berl. Pap. VI, 954, 6; 1043, 8, κεφαλῆς τιμωρίαν), so that we are permitted to assume that it had passed into good Greek legal usage. κατὰκριτον, on the other hand, although it is regular with the genitive of the sentence in Lucian (Erot. 23, 423; Dial. Mor. 38, 58, θανάτου κατὰκριτον), Diodorus (Exc. 592, 61), and in such Byzantine writers as Anna Comnena (Kroll, 81; 236; 239), is not cited anywhere in Greek before Plutarch.

Probably the words ὀνόματι τυμβωρυχίας seem the closest to the Latin of any in the inscription. They translate literally *nomine sepulchri violati*, where *nomine* gives the title or head under which the act falls, as in the phrase (Gai. III, 209) "actionem eius delicti nomine Praetor introduxerit". Now this legal usage is parallel to a literary usage, found in phrases like "nomine neglegentiae suspectum" (Cic. Fam. 2, 1, 1), "classis nomine imperatam" (ibid. Fl. 12); and similarly we find in the papyri an identical use of ὀνόματι in a semi-legal way. For



instance, *ὀνόματι ἰδιωτικῆς* (Preisigke, Griech. Urk. 47, 10); *ὀνόματι τῆς ἐπιτροπῆς* (Preisigke, Sammelbuch, 5761, 4); *ὀνόματι πατρωνικῶν* (Maspero, Pap. Gr. 29, 5); *ὀνόματι σπορτούλων* (ibid. 31, 6), from the first century B. C. to the fourth of our era. Now it is just possible that, as in Latin, so in Greek there was a corresponding legal use of which we have no other examples. No weight, however, need be put upon this supposition; it does not ultimately affect the issue.\*

FRANK E. BROWN.

YALE UNIVERSITY.

\* When the foregoing was about to be put on the press, the Editor called my attention to an article by G. Corradi, *Un nuovo documento augusteo*, appearing in *Il Mondo Classico* for Jan.-Feb. 1931, pp. 56-65, and dealing with the same inscription. Signor Corradi assigns the inscription to the province of Syria and to the time of Augustus. His argument in no wise affects the conclusions reached above.

## GRATITUDE TO PARENTS IN GREEK AND ROMAN LITERATURE.

[Failure to make proper return to one's parents was considered by the ancient Greeks not ingratitude but impiety. Discussion of the reasons why a child should be grateful to his parents and the beliefs of the Greeks and Romans as to the validity of the parents' claim to gratitude, with special attention to those passages of Seneca's *de Beneficiis* which treat of this subject. Finally, Sophocles' treatment of a certain dramatic situation in the Oedipus at Colonus is compared with Shakespeare's handling of a similar situation in King Lear.]

Nowadays we think of ingratitude to a parent as the meanest and most contemptible of human failings. Its description in modern literature is always profoundly moving whether the type depicted be the college boy, educated at the cost of a mother's sacrifices but ashamed on Commencement Day to own her before his fellows, the inappreciative daughters of Père Goriot, or, in the realms of higher tragedy, King Lear, whose bitter cry

How sharper than a serpent's tooth it is  
To have a thankless child!

has profoundly moved us even if we have experienced no neglect or ill-treatment at the hands of our children.

One who is at all well read in ancient literature will recognize at once that the emphasis therein is quite different. Sons and daughters were then much what they are now, then as now they were apt to be thoughtless, then as now they sometimes made a poor return for what they had received, then as now such conduct wrung the hearts of parents. But very seldom indeed was any thought expressed that son or daughter had been guilty of ingratitude. The whole matter was viewed from quite a different angle. What we call ingratitude was then called impiety.<sup>1</sup>

<sup>1</sup> One who reads Greek literature only in translation must beware constantly lest he be misled by the translator's tendency to impart with his English version an idea of gratitude or ingratitude that is quite alien to the word employed in the Greek (p. 36: Theog. 271-278).

There are many passages where the translator into English has found it advisable to use the terminology of gratitude. Usually, however, the

The ancient world, like the modern world of the Orient, was founded on the duty of son to father. It was a fundamental article of the Persian religion implanted by Ahura Mazda himself. Just as Christianity declares that one serves God best by serving his brother man the Dinkart<sup>2</sup> maintains that reverence and service to parents and to the Creator are intimately connected. To Confucius the<sup>3</sup> duty of a son to his parents takes precedence of his duty to his wife and children. Cicero sets the relation of husband and wife ahead of the relation between father and son. To Chinese and Japanese alike filial piety resumed all one's social and political duties and was the root of all virtue.

The Greeks fully recognized in the duty of honoring one's parents a universal law (*πανταχοῦ νομιζέται*). Fairbanks points out that the most repulsive phase of Sophistic attack on the 'customary' (*νόμος* vs. *φύσις*) was its depreciation of duty to parents.<sup>4</sup> But the Greeks usually put it second to the duty of honoring the gods and ahead of honoring the common laws of Greece. The problems that arise when duty to parents comes into conflict with other sanctions and duties had an irresistible fascination for the Greek mind and occupied the attention of their greatest dramatists in the tales about Eriphyle and Cly-

Greek does not bear it out. Take this passage from Eur. *Supplices*, 361 ff. translated anonymously in the Everyman's edition.

Vile is that son who to his parents yields  
No grateful services, for from his children  
He who such glorious tribute pays receives  
Whate'er thro filial duty he bestowed.

The tone of the Greek is quite different. Compare this ultra-literal rendering. "Wretched is the child who does not act as a slave to his parents in return, the fairest contribution (to the poor fund), for if he gives (such service) he receives from his own children such things as he gives his parents."

The man who makes no return is not vile but ill-starred because he gets none from his children; the services he does are viewed, with disregard of mixed metaphor, at once as servile tasks and as a contribution to a person in need; the former the translator renders "grateful services", the latter more accurately "glorious tribute".

<sup>2</sup> IX, LV, 5.

<sup>3</sup> Hastings, *Encyclopedia of Religion and Ethics*, V, 731.

<sup>4</sup> Hastings, *Encyclopedia of Religion and Ethics*, V, 737.

temestra. Aeschylus is peculiar in placing reverence for parents third among the statutes of justice.<sup>5</sup> In Plato's mind honors paid to living parents came next after honors to ancestral deities.<sup>6</sup> It is no argument against the enormity of a crime that it incurred no punishment at the hands of the law. Greek law contained no penalty for perjury, though Greek society was built on respect for the oath, because it was felt that God could be trusted to avenge so direct and flagrant a violation of his majesty. If Rome had no legal punishment for ingratitude to a father we may recall the quite parallel fact that in early times it had no punishment for parricide either, for parricide was thought to be impossible<sup>7</sup> at Rome. In an Athenian court of law Deinarchus (2, 18) can use the unfilial conduct of Aristogeiton as damning evidence against him.<sup>8</sup>

There can be no doubt then that unfilial conduct, violating as it did one of the deepest feelings of humanity, was viewed by the Greeks with supreme horror. But for a long time they never thought of calling it ingratitude. Nor did the Hebrews. The note of ingratitude is strikingly absent from the story of Absalom's revolt against his father David in *2 Samuel* xv-xviii. David was not insensible to the enormity of the act; he went out of Jerusalem in tears.<sup>9</sup> His emotion is not more precisely indicated except as Hushai surmises that he and his men are chafed in their minds as a bear robbed of her whelps.<sup>10</sup> The conduct of Jacob to Isaac, that of Jacob's sons to himself, that of Ham to Noah, that of Jonathan to Saul in the matter of his friend David, are unfilial but to the Hebrew not ungrateful. The nearest one comes to this note in the old Testament literature I find in the prophet Hosea, marked in other respects by the advanced nature of his ethical and religious thought. He makes much<sup>11</sup> of the motive of tender fatherly care ill requited, but it is insensibility rather than ingratitude of which he complains. "They knew

<sup>5</sup> *Suppl.* 707-709.

<sup>6</sup> *Laws* 931 A.

<sup>7</sup> And for 600 years it was. In extreme cases the Chinese did appeal to the law.

<sup>8</sup> The Hebrew put to death the curser of parents; *Exodus*, 21, 17.

<sup>9</sup> *XVI*, 30.

<sup>10</sup> *XVII*, 8.

<sup>11</sup> *Chapter XI*.

not that I healed them." <sup>12</sup> Israel is accused not of ingratitude but of backsliding <sup>13</sup> and deceit. <sup>14</sup>

Not even in the New Testament does the duty of gratitude as such receive any emphasis. <sup>15</sup> We might expect it in the parable of the prodigal son. But there is no trace of it except in the, to us, curious complaint of the elder son that in return for faithful toil and obedient service his father has never rewarded him with a kid! When Paul writes to his spiritual children in the various churches, he does seem to fancy that some return may be due him but he does not explicitly appeal to any sense of gratitude nor explicitly complain of any ingratitude.

Admetus and Pheres in the *Alcestis* engage in a bitter altercation. Admetus assails Pheres, forsooth, because he is unwilling to die for his only son. A modern would find it the obvious retort to reproach Admetus for his ingratitude for what his father had already done for him. Euripides has him do nothing of the sort. Pheres reminds his son that he has brought him up to manhood and has made him lord of his realm. For this, however, he claims no gratitude. So far he had done only what was customary—what his own father had done for him. <sup>16</sup> This much he owes the child he has brought into the world to be his successor and carry on the family. But no obligation whatever rests upon him to die for that son; <sup>17</sup> nor upon his son, were the present situation reversed, to die for him. <sup>18</sup>

Admetus, for his part, reminds his father that to have a son is distinctly a blessing. The only approach to a charge of ingratitude in the rencontre comes, queerly enough, from the son, <sup>19</sup> not from the father. "You surely will not say", he remarks, "that I dishonored your old age and betrayed you to death, for in fact I was very respectful to you and for this you and my mother give me thanks like this."

<sup>12</sup> V, 3.

<sup>13</sup> V, 7.

<sup>14</sup> V, 12.

<sup>15</sup> Except, of course, gratitude to God. The need of gratitude to man is mentioned only to deny it. "Doth he thank that servant—? I trow not." (Luke XVII, 9.)

<sup>16</sup> 683.

<sup>18</sup> 690.

<sup>17</sup> 682.

<sup>19</sup> 658 f.

It is perfectly evident that Euripides has no intention of obscuring the duty a son owes his parents. My point is that the most strenuous insistence upon it never puts it on the same plane with an act of gratitude. The distinction between the two is kept clear. Aristotle<sup>20</sup> brings into hypothetical conflict the claims of gratitude to a friend and deliverer and filial duty to a father. He gives the latter unequivocal precedence. In other words, to the Greek moral sense filial duty is not gratitude, but stands above and takes precedence of it.<sup>21</sup> Just as little is unfilial duty ingratitude.<sup>22</sup> Strepsiades rushes out of the house to accuse his son of having beaten him; he is not sparing of abusive epithet. He calls Pheidippides *μιαρέ, πατραλοῖα, τοιχωρύχε* (1327) and *λακκόπρωκτη* (1330) but not an ingrate. He thinks the treatment unjust rather than ungrateful. On later reflection he remarks as coarsely as comically on the poor return he receives for the attention he gave his son in helpless infancy.<sup>23</sup> There are two passages in the *Odyssey* which imply a feeling of ingratitude for kindnesses received in infancy but in neither instance is filial duty involved, for the recipient of the kindness is not the child of the one who has bestowed it. Eurymachus hypocritically comforts Penelope with the assurance that he will personally see to it that no one harms her son, "for Odysseus of a truth did many a time set me too upon his knees and gave me roasted flesh into my hand and held the red wine to my lips. Wherefore Telemachus is dearest of all men to me."<sup>24</sup> In book XVIII, 321 ff., the maidservant Melantho scolded Odysseus shamelessly. "Penelope had reared her and entreated her tenderly as she had been her own child. Yet, for all that, the sorrow of Penelope touched not her heart but she loved Eury-

<sup>20</sup> *Eth. Nic.* 1165 a 1.

<sup>21</sup> The *τιμάω* and *σέβομαι* series of words is used to express filial duty. *Xen. Mem.* IV, 4, 20, *Eur. frag.* 219 Nauck, *Aesch. Eum.* 545, *Suppl.* 707-709.

<sup>22</sup> Clytemestra says nothing of any ingratitude on the part of Orestes. Her appeal is quite on another basis. But we might well have expected that a writer like Euripides would make Theseus taunt his son Hippolytus with making a poor return for fatherly care. He does nothing of the sort.

<sup>23</sup> 1380 ff.

<sup>24</sup> XVI, 442 ff.



machus and was his paramour." This is nearer than the other to a complaint of unfilial conduct. If Penelope had adopted Melantho it would be quite so.

In my study of Greek gratitude, I have observed from various angles that Xenophon comes far nearer the modern emphasis on gratitude than does anyone before him, or for many years after him. Of gratitude to parents he speaks unequivocally. He makes Socrates say to his sons,<sup>25</sup> "Don't you know that the state pays no attention to other types of ingratitude and considers them not actionable but overlooks the lack of gratitude on the part of those who have received kindnesses; but if one doesn't serve (*θεραπεύειν*) his parents, it puts a penalty upon him and disenfranchises him and does not permit him to hold office, etc?" From the viewpoint of other writers this would mean merely that the State considered ingratitude beyond its province but took sharp action in cases of unfilial conduct. But Xenophon has risen to a loftier plane. He further makes Socrates emphasize gratitude to a mother,<sup>26</sup> a note perhaps oftener sounded in modern literature than that of gratitude to a father, though for some reason it has not set the key for such outstanding literary masterpieces. I have found no clear cut instance of it before Xenophon. Hecuba, endeavoring to induce Hector to take refuge within Troy town walls, shows him her breast and says, "Hector, have regard unto this bosom and pity me, if ever <sup>27</sup> I gave thee the consolation of my breast. Think of it, dear child," etc. I doubt if this means "be grateful to me for suckling you." Is it not rather "By my breast I implore you" whatever that may ultimately imply? So far as the two can be separated, it is an appeal to filial love rather than to gratitude. It is an almost exact antithesis to the famous taunt of Nero's mother, when she was being murdered at the behest of her son. "Feri ventrem", she exclaimed.<sup>28</sup> There is no hint that Nero is ungrateful but the unfilial character of his act is set in the most terrible light possible.

<sup>25</sup> *Mem.* II, 2, 13.

<sup>26</sup> The emphasis on mother love in a passage like Eur. frag. 360 is somewhat unusual.

<sup>27</sup> *Iliad* XXVII, 79 ff. The *εἰ ποτε* formula, however, even in Homer is used in appeals to gratitude.

<sup>28</sup> Tac. *Ann.* XIV, 8 fin.; cp. XIII, 21.

There is a passage in Theognis which belongs in this part of our discussion. The poet seems to have returned home to find his wife and children estranged and, as we should say, thankless. His feelings are expressed in a passage<sup>29</sup> which Symonds finds full of Lear's indignation. He gives us this spirited rendering:<sup>30</sup>

One single evil more severe and rude  
Than age, or sickness, or decrepitude  
Is dealt unequally for him that rears  
A thankless offspring; in his later years  
Ungratefully requited for his pains, etc.

But the translation has this grave fault: every reference to thanklessness has been imported into it by the translator. More literally, it goes "Of all evils among men this is the worst; more evil than death and all diseases; when you have reared children and provided them with everything fitting; and if you have paid down money after suffering many a hardship, they hate their father, etc." It is an excellent example of the Greek tendency to keep in the background the idea of ingratitude, so prompt to suggest itself to the modern mind at the sight of an injured parent. We put it on the same plane with an injury done to a friend; the Greek places it in quite a different and a darker category. It is a violation of the sacred right of the family, a sin against the Zeus who watches over fathers and whose claims overbalance all others.

But Socrates, talking with his son about proper conduct to the lady Xanthippe who has not been considered an ideal wife whatever she may have been as a mother, is made to emphasize gratitude to a mother in very unequivocal language. A mother gives her child a share of the nourishment which she herself receives and at length, after bearing it the full time and bringing it forth with great pain, she suckles it and cherishes it, though she has received no previous benefit from it.<sup>31</sup> He closes his remonstrance with these words,<sup>32</sup> "You will entreat the gods to pardon you if you have been wanting in respect towards your mother, lest, regarding you as an ungrateful person they should be disinclined

<sup>29</sup> Lines 271-278.

<sup>30</sup> *Greek Poets*, I, 267.

<sup>31</sup> *Xen. Mem.* II, 2, 5.

<sup>32</sup> *Ib.* 14 (J. S. Watson's translation).

to do you good; and you will have regard also to the opinion of men—for, if men surmise that you are ungrateful towards your parents, no one will believe that if he does you a kindness he will meet with gratitude in return."

Is this unusual utterance the voice of Socrates or of Xenophon? Compare for a moment the dialogue which Plato makes Socrates hold with the Laws of Athens. The laws maintain that he is their child and slave. He admits that he has no complaint to enter against their treatment of him heretofore, that he has in fact received many benefits from them. But Plato stresses the need of respect, not of gratitude, and warns not so much against ingratitude as against impiety and injustice,<sup>33</sup> and breach of faith. I conclude then that the special stress laid on gratitude in the passages quoted above from the *Memorabilia*<sup>34</sup> represented the peculiar ideas of Xenophon rather than those of Socrates; unless we are to say that Socrates did lay such stress on gratitude, a stress that Plato failed to reproduce, but which appealed to and bore fruit in the simpler homelier nature of Xenophon. Certain it is that throughout Xenophon's works there are references to unequivocal and well-developed gratitude, even when he claims to be quoting another than his martyred master.<sup>35</sup>

In Lycurgus, in *Leocr.* 94, stress is laid on duty to parents, with the word εὐσέβεια, which is made to apply also to duty to the dead. But the language has a flavor of gratitude in the expression ἀγαθὰ πεπόνθαμεν, used of the child. Εὐεργετῆιν is also employed but it applies to the duty of the child to benefit his parents.<sup>36</sup>

<sup>33</sup> *Crito* 50 f.

<sup>34</sup> Elsewhere (*Mem.* II, 2, 3) Xenophon says it is only common justice to make some return to a parent; Plato's terminology points in the same direction, *Leges* 717 (ἀποτίνειν, ἀποδιδόναι), and Seneca says *Repeti a patre beneficium non debet: si quid pro hoc benigne facit, iustus, non gratus est*, de *Ben.* V, 19, 8. In fact Xenophon maintains that ingratitude is injustice pure and simple, but with the difference that whereas we do not owe justice to an enemy, everything being fair (i. e. just) in war, we are bound to return gratitude for favors even from an enemy (*Mem.* II, 2, 1.); cp. Aristotle, *Eth. Nic.* 1165 a 21.

<sup>35</sup> E. g. Cyrus the Great: *Cyr.* III, 2, 20; VIII, 7, 3.

<sup>36</sup> Ἀντεεργετῆιν is what we might expect. It should be observed also that failure to benefit parents is not branded as ingratitude but is called an ἀσέβημα. In Deinarchus II, 17 in a way very similar εὐ ποιεῖν is ap-

But of course the notion that it was gratitude that was due to a parent had become a commonplace by the time of Plautus who makes a neat use of it. Parasite Gelasimus suspects that hunger was his dam and maintains that no one has ever returned greater gratitude to his mother than he has, however unwillingly. She carried him in her belly for ten months. He has borne her in his for more than ten years.<sup>37</sup>

In order to set before ourselves in as clear a light as possible the difference between the ancient and modern conceptions of gratitude to parents, let us inquire why a child should be grateful to his parents. Gratitude of course implies a favor done. What *favor* then has the parent done the child? Socrates<sup>38</sup> is made to say that there can be no greater benefit than what children receive from their parents. They give him life<sup>39</sup> and Socrates dilates upon the pleasures of living. "But", he goes on, "it may be said that men beget children not expressly intending to confer such a boon upon them but merely to gratify their passions. "No", he answers, "for the streets and the brothels are full of means to allay sexual desire. A man does not rest content with these; he maintains a woman and supports a child, while the woman risks her life and undergoes great pain to bring the child into the world. It is then common justice to make some return to a parent, of support where necessary, of honor and respect in any case."

Some portions of this are not wholly convincing even to us. Still less would they convince the ancient Greek and his Roman successor who were somewhat unsentimental and hard-headed on this point. "You have given me life," they might argue, "but is that a boon in itself? No, it is a thing *exiguum et incertum et boni malique communem materiam*."<sup>40</sup> It might easily be a serious detriment, say in case you had afterwards decided to expose me.<sup>41</sup> The mere giving of life is only to beget

plied to the duty which Aristogeiton should render to his parents. The word is usually employed of the benefit for which gratitude is due when there is any question of gratitude involved.

<sup>37</sup> *Stichus*, 155.

<sup>38</sup> *Mem.* II, 2, 3.

<sup>39</sup> Lycurg. *Leocr.* 94. Aristotle, *Eth. Nic.* 1165 a 21.

<sup>40</sup> Seneca, *de Ben.* III, 30.

<sup>41</sup> *Ib.* III, 31, 3.

a creature *expertem rationis, onus alienum*.<sup>42</sup> And if we admit that life is a boon it is surely not the ultimate boon in the form in which it is given to a child. To stress so highly its value is to confuse first things and greatest things.<sup>43</sup> Being born of course does condition every joy that comes after but it is *generandi volgare beneficium*. The father in giving the child mere life gives him what is common to him and the beasts. The mere living is the smallest part. Success in life is usually due to the son's own efforts. No benefit is of supreme importance that must be helped by other benefits to prevent it from being a curse.<sup>44</sup> This, entirely aside from the nice question whether any one need be grateful for a benefit that has been thrust upon him without his consent and which he was not in a position to refuse; *Nemo in id accipiendo obligatur, quod illi repudiare non licuit.*"<sup>45</sup>

But of course the father has done far more than merely give the child life. He has given it *πλείστα ἀγαθά*. He has not only begotten but reared it. To life have been added other things which continue the initial benefit and perfect it by other duties (*officiis*). One might ask again "How much stress is to be laid upon a thing which, while admittedly a benefit to the recipient, could not have been omitted by the giver without the most utter meanness and disgrace, and conduct which would actually bring him into conflict with the law of the land? Could a father do anything else, in case he had failed to expose the child at birth, than provide him with food and clothing and a chance to earn his living? You can't expect a child to appreciate so highly the sort of thing that all his fellows are getting."

No, the gift for which a child should be grateful to his parents is not life but the care and pain spent in his upbringing. (We might have added love.) One who performed the offices of a mother without having endured the pangs of childbirth was nevertheless entitled to honor not unlike that due to a mother. An education of some sort is assumed. We are told that failure to provide it released a son from all legal obligation to provide

<sup>42</sup> *Ibid.*

<sup>43</sup> Plato, *Leges* 717 B.

<sup>44</sup> Seneca, *op. cit.* III, 35, 4; *ep.* III, 31, 3.

<sup>45</sup> *Ib.* II, 18, 7.



for his father in old age. But more than a means of self-support was requisite. There must be a moral training that would make the child into a good citizen. Seneca (VI, 24, 2) states that the greatest benefit which a child receives from his father is one he doesn't know about and doesn't want. The wise father compels his child to endure what is good for him; by fear, if other means fail, he makes him pursue a course of liberal studies.<sup>46</sup>

The validity of any claim to gratitude is conditioned on the disinterestedness and intention of the benefaction. In the case of a father there are (at least there were among the ancient Greeks) two considerations that militated against this disinterestedness—the advantage of having legitimate children and physical pleasure involved in begetting them. The latter has already been mentioned (*Mem.* II, 2, 3), and in view of the strong likelihood of an admixture of two motives, Socrates' attempt to eliminate one fails to carry a full measure of conviction. Democritus<sup>47</sup> says it is a necessity for men as for animals to produce children, they do it for this reason, not for any advantage. Seneca more inclusively says that a father has in mind the laws, his country, the rewards of a father, the perpetuation of his house and family, considering all these more than he did the one to whom he was giving.<sup>48</sup> These things, be it observed, he would not have had, had he taken Socrates' suggestion of the simple and lazy way to gratify his animal passions. To the Greek the desire for legitimate children was so strong and the possession of legitimate children brought with it so many advantages that the bringing of children into the world was far from being a disinterested or altruistic act.<sup>49</sup>

<sup>46</sup> Compare the stress laid on gratitude to a teacher, *Sen. de Ben.* V, 7, 5.

<sup>47</sup> 278 D.

<sup>48</sup> *De Ben.* II, 33, 4.

<sup>49</sup> From the standpoint of the son, too, filial obedience has at least an interested side. The precepts of Ptahotep emphasize the advantages of filial obedience, in bringing the dutiful son greatness, dignity, and long life. And on the face of it the fifth commandment of the Mosaic law directs the payment of honor to a father and a mother for a selfish and therefore an unworthy reason. But few Hebrew children would be impelled to filial conduct mainly by the promised reward. Similarly Plato stresses the advantage of having on one's hearth a parent well cared for as a sort of intercessor with the gods (if not, in a degree, very god itself).



It is likely, as Jolly points out,<sup>50</sup> that the desire for sons was for a long time not at all an individual matter. The prosperity of the family would depend on the number of hands available for the cultivation of the family property, and that of the tribe on the number of those who could bear arms against the foe. It has been maintained that procreation by the father was not a necessary element in the conception of sonship. To the Chinese, says Maclagan,<sup>51</sup> the object of having children was that in old age the parents might have the benefit of their ministrations. The Jewish son could be compelled to support his aged parents. The Greek fully recognized that genuine happiness of adults was conditioned upon *εὐτεκνία*, the possession of good children.

It may fairly be said that the Greek attitude to children was hopelessly selfish. It was not only that they had no ambition for their children higher than that their children should be like them, without a thought that by living their own lives they might be better. It was rather that they laid continual emphasis upon the production of children as a sort of old age insurance. Democritus we have seen declares that men produce children *ἐπωφελείης γε οὐδεμιῆς εἵνεκα* but only because by animal necessity they must. This, however, is a bit of supreme pessimism and only as such has it been preserved to us in the 76th section of the *Anthology* of Stobaeus where it forms one of a series of cynical remarks about children culled from the writings of Menander, Euripides, Sophocles, Homer, and Aristippus. Even in this collection, be it remarked, no charge of ingratitude is brought against children.<sup>52</sup> The trouble is that half the time you don't know they're yours, and when you do, they're no good to you.

for the welfare of such a dutiful child. The prayers and blessings of an honored sire, he says, should be fully as effective as the curses of an injured parent (*Laws* 931 A).

<sup>50</sup> Art. Family in Hastings, *Encyc. Rel. and Ethics*, V, 739.

<sup>51</sup> *Ib.* 731.

<sup>52</sup> Nor even of filial conduct unequivocally. Evil children are referred to but it is not clear that they are evil in their conduct to their parents. Reference is made to a child injuring his parent, and this may be by unfilial action but it might also refer to the injury inflicted on a father by a child's rascality in the community. But Seneca specifically charges youth in general with ingratitude and especially in wishing, hoping for, or at best thinking of a father's death.

The Athenian law required a son to support his parents quite independently of any property he might have inherited from them.<sup>53</sup> Delinquency in this respect prejudiced a man's status before a jury.<sup>54</sup> But if a man did what the law required there is no hint that he need be grateful. In fact, Seneca<sup>55</sup> by a curious line of reasoning tries to prove that if a son supports the father who has supported him, he does more than his father had done for him, for he gives the old gentleman more pleasure than he himself had received. The father rejoices not only in the support, but even more that he receives this support from his son, whose good will pleases him more than the food and clothes, while all the father had given the son affected only his body!

There was, however, another boon, more remote but no less important, which a father expected from his son, the performance of the burial rites and the continued cult at the grave. These were of tremendous importance to every believer—and in this field unbelievers were few indeed! For the son to fail in this duty was the lowest depth of rascality.<sup>56</sup> So large did this matter bulk that adoption was recognized as a legal device to assure the due performance of burial sacrifices in cases where a man had no son of his own to carry them on. Failure to perform the rites after having accepted adoption was tantamount to a violation of a contractual obligation, not ingratitude, as on the part of a son the same conduct would have been unfilial.

These were the reasons given by the ancients for the comparatively slight stress which they laid upon the gratitude of a child to its parents. For the far larger emphasis of modern times Count Tolstoy has a characteristically pessimistic explanation (*Kreutzer Sonata*, 359; cp. 371). He ascribes it to the increasing lack of pleasure or satisfaction taken by the parent in his children. When children are a source of nearly unalloyed satisfaction, the mother feels that the pain, the trouble, the

<sup>53</sup> Isae. VIII, 32. Aristotle, *Eth. Nic.*, 1165 a 21, declares that though a father's claim is not unlimited, because the claims of brothers, comrades, and other benefactors must be considered, yet a parent always has the first claim for maintenance. Even self-preservation must be postponed to this.

<sup>54</sup> Lys. XIII, 45.

<sup>55</sup> *De Ben.* III, 32.

<sup>56</sup> Deinarch. II, 18; Lys. XIII, 45.

expense of rearing them are amply repaid by joy in their affection and in their company. Of a parent who feels thus toward his children, it may verily be said "he hath his reward". The account is even, the child has consciously or unconsciously paid a debt which he certainly contracted unconsciously and involuntarily. But the modern view of children adumbrated in the cynical section of the *Anthology* of Stobaeus referred to above, is that represented by a newspaper cartoon. One portion represented a noisy unruly tribe of children. One parent says to the other "Never mind! We shall enjoy them when they grow up." The other portion showed a sloppy, inconsiderate, company of young men and women. The mother remarks "Never mind, they were so sweet when they were little!"

When all is said, the fundamental fact is probably that the ancient, far more deeply than the modern, desired to have children and so recognized more fully that the pains spent upon their birth and upbringing were not wholly disinterested but were motivated at least as much by his own well-being as by that of his offspring.

Seneca of course lived in a time when the duty of gratitude to parents was fully recognized and emphasized. He feels no special impulse to inculcate it, though he complains very bitterly of its general absence in the youth of his day. On the contrary, in order to be original, he must abandon so trite a path. And so we find him taking a position which might expose him to the charge of minimizing the gratitude due from son to parent. His thesis is that a son may deserve more gratitude from his father than his father deserves from him. The conclusion he attains by the following chain of reasoning. If a son has more power than his father and is a better man, he should be able to bestow greater benefits,<sup>57</sup> for both his fortune and his will are greater. Seneca then plays with the notion that nothing that the son can do outweighs the benefit of getting begotten, for without this he could have done none of these things. But a greater stream may spring from a smaller source. I couldn't have gotten where I am without the services of my nurse but you wouldn't consider my nurse's services more important than any that I may have received since. Otherwise I'd owe the same

<sup>57</sup> *De Ben.* III, 29, 2.

gratitude to my great-grandfather! In point of fact, it isn't the mere fact of being born that is decisive. Good living is the main thing and that doesn't arise from a father's benefits even if it could not have arisen without them. Suppose I give a father life in return for the life he gave me. I surpass him. For I gave it to one who felt it and there is no question of any (sensual) pleasure of mine involved in the giving. It is a greater thing to keep one's life than to receive it. I gave him life to use at once; he gave it to me when I didn't know anything about it, to use in the long future. I gave him life when he lay in the shadow of death; he gave me life so that I might be able to die. I gave him a life perfected and consummated, he gave me a burden not my own.<sup>58</sup> He gave me life in the raw, a life stripped of all skill (*imperitum*). I've given him a son such as he can be proud of having begotten.<sup>59</sup>

And if I support him who supported me I do him a greater favor than he did me. If a son succeeds in attaining fame he confers an inestimable benefit upon his parents. Who would ever have heard of Gryllus and Ariston but for their sons, Xenophon and Plato? And Socrates keeps Sophroniscus alive forever.<sup>60</sup> Grant even that no one deed of a son's can surpass in magnitude the benefits a father has conferred, the sum total of many deeds frequently exceeds them.<sup>61</sup> Take as a classic example the exploit of the young Scipio, later to be called Africanus, in saving his father's life at the Ticinus skirmish. Certainly such remarkable piety which brought equal advantage and glory to his native city surpassed the commonplace benefit of generation (*generandi volgare beneficium*).<sup>62</sup>

Suppose, again, that a son takes upon himself torture which otherwise his father would be compelled to endure, or suppose he frees his father once and again from the fear of death. Here again he gives a greater benefit than he has received. For a benefit is the greater, the more desperately it is needed.<sup>63</sup> Now a living man needs life more than a babe unborn. Then, further, if someone gives me a benefit which needs to be supplemented by benefits from many others, while I give him one that is

<sup>58</sup> *De Ben.* III, 31, 1 f.

<sup>59</sup> *Ib.* 31, 5.

<sup>60</sup> *Ib.* 32, 3.

<sup>61</sup> *Ib.* 32, 6.

<sup>62</sup> *Ib.* 33, 3.

<sup>63</sup> *Ib.* 35, 2.

complete in itself and needs no helper, I have conferred a greater favor than I have received.<sup>64</sup> This is precisely the case when a son has done his father a signal service.

Seneca goes on to contend that this doctrine of his by no means inculcates or fosters disrespect for parents.<sup>65</sup> Rather does it stimulate virtue, which is naturally fond of glory and eager to excel others. Filial piety will be all the more forward and eager if it feels that it has a chance to turn the balance of benefit even against a father. About this feeling no father has need to worry! There are many things in which it is to our advantage to be outdone. What greater happiness can a parent have than to be driven to admit that he can't match the benefits his son has conferred upon him? Let's give the boys a chance to show if they can beat us at this game of conferring benefits. Don't let them think that he who has first move is *ipso facto* the winner. If they win, we'll be glad to have them our conquerors. There are legitimate ways of beating even a father, and, beginning with Aeneas' service to Anchises,<sup>66</sup> Seneca gives several illustrations of how it has been done. It is legitimate for a man to boast that he has with due submissiveness obeyed his father in all else, but has exhibited contumacy in a struggle not to be outdone in the conferring of benefits. In such a contest both the parties are indeed happy.<sup>67</sup>

Not only may a son's good conduct surpass the kindnesses his father has done him; it is also possible for a father's bad conduct to cancel the debt. No father can be so cruel or criminal that it becomes right for his son to curse him.<sup>68</sup> The kindness the father did remains, but the grace of the kindness is gone (*non beneficium tollitur sed beneficii gratia; et efficitur non ne habeam sed ne debeam*). It's as if a man lent me a sum of money and then burned my house down. The account is balanced. I've not paid him anything, yet I don't owe him anything.

In order to set forth the difference of emphasis in Greek and English as typical of ancient and modern, in dealing with the relation of child and parent, I have reserved till last one striking

<sup>64</sup> *Ib.*

<sup>65</sup> *Ib.* 36, 1 ff.

<sup>66</sup> *Ib.* 37, 1 ff.

<sup>67</sup> *Ib.* III, 38, 2.

<sup>68</sup> *Ib.* VI, 4, 2.



treatment of this subject, that of Sophocles in the *Oedipus at Colonus*, with which I wish to contrast Shakespeare's handling of a similar situation in *King Lear*.

Sophocles the nonagenarian, smarting under the charge, brought against him by his son, of incapacity to handle his property, produced a drama depicting the aged, toilworn Oedipus, buffeted by fate, neglected by his sons, the object of their sudden solicitude only when it becomes known that the success of the warring parties in Thebes and the prosperity of the town are dependent upon the possession or control of his person.

Be it remembered that Sophocles could scarcely have written this play, whether or not it was commenced before the trouble with his son, without importing into the words of Oedipus much of his feelings. He makes the blind old man express bitter and violent indignation at the conduct of his sons, and contrasts it<sup>69</sup> with the tender care which his daughters, especially Antigone, have accorded him. He calls their conduct monstrous and unnatural.<sup>70</sup> He rails at their impiety,<sup>71</sup> their villainy,<sup>72</sup> their ambition,<sup>73</sup> their cruelty,<sup>74</sup> but never at their ingratitude.

On the other hand his daughters have been dutiful and filial in the extreme. But there is no hint that their action springs from gratitude to their father, nor that any is due them from him.<sup>75</sup> Their conduct is considered worthy of remark,<sup>76</sup> even of commendation,<sup>77</sup> but after all they have only done their duty, though owing to the unfilial attitude of their brothers that duty has been an unusual and a toilsome one. In other words the acts of Antigone in the *Antigone* and in the *Oedipus at Colonus* are put on much the same plane, that of the proper performance of family duties at great sacrifice.

If we now turn to *Lear*, the contrast is at once apparent. The note is at first much as in the Greek play; Cordelia emphasizes

<sup>69</sup> 340, 440.

<sup>70</sup> 1360; cp. 598.

<sup>71</sup> 1190, 1260.

<sup>72</sup> 418.

<sup>73</sup> 445, 418.

<sup>74</sup> 1375.

<sup>75</sup> Something of the sort might have been said in 740 ff.

<sup>76</sup> 1360.

<sup>77</sup> 1410.



filial appreciation and due return of obedience, love and honor.<sup>78</sup>  
And, much in the strain of Oedipus, Gloucester calls his own son

Abhorred villain! Unnatural detested brutish villain!  
. . . a monster.<sup>79</sup>

Lear begins in the same strain, calling his daughter a degenerate bastard. But he goes on to say:

Ingratitude, thou marble-hearted fiend,  
More hideous, when thou showest thee in a child,  
Than the sea monster.<sup>80</sup>

With his cursing of Goneril he prays that she may feel

How sharper than a serpent's tooth it is  
To have a thankless child.<sup>81</sup>

and contrasts her monstrous ingratitude with his kindness as a father, praying that

All the stored vengeance of Heaven fall  
On her ingrateful top.<sup>82</sup>

He pleads with Regan to avoid her sister's fault.

Thou better knowest  
The offices of nature, bond of childhood,  
Effects of courtesy, dues of gratitude.  
The half o' the kingdom thou hast not forgot  
Wherein I thee endowed.<sup>83</sup>

This last consideration seems brought in as a kind of despairing auxiliary, not at all constituting the main claim to better treatment, though as a striking instance of fatherly indulgence it naturally gains unusual emphasis. When his tortured brain begins to crack Lear cries out

Cruel nature's moulds all germens spill at once  
That make ingrateful man,<sup>84</sup>

and cries out to the elements that he taxes not them with unkindness

I never gave you kingdom, called you children;  
You owe me no subscription.<sup>85</sup>

<sup>78</sup> Act I, Sc. 1.

<sup>79</sup> Act I, Sc. 2.

<sup>80</sup> Act I, Sc. 4.

<sup>81</sup> *Ib.*

<sup>82</sup> Act II, Sc. 4.

<sup>83</sup> *Ib.*

<sup>84</sup> Act III, Sc. 2.

<sup>85</sup> *Ib.*

Gloucester and Edmund agree that the conduct of Regan and Goneril is unnatural and savage,<sup>86</sup> and Lear exclaims:

Filial ingratitude,  
Is it not as this mouth should tear this hand  
For lifting food to 't? <sup>87</sup>

All through we see two elements struggling for predominance, the Greek idea of unfilial conduct and the modern notion of filial ingratitude. But it is clear that the latter is in the ascendancy especially as regards the conduct of the sons-in-law.<sup>88</sup>

Tigers, not daughters, what have you performed?  
A father and a gracious aged man  
Whose reverence the head-lugged bear would lick  
Most barbarous, most degenerate, have you madded.  
Could my good brother suffer you to do it?  
A man, a prince by him so benefited?

And, curiously enough, the conduct of Cordelia lies in the first category. She is held up as an example not so much of gratitude as of filial piety. In other words, in *Lear* as in *Oedipus at Colonus* the positive quality is filial piety. But its negative is no longer considered merely unfilial conduct. It has become ingratitude.

JOSEPH WILLIAM HEWITT.

WESLEYAN UNIVERSITY,  
MIDDLETOWN, CONN.

<sup>86</sup> Act III, Sc. 3.

<sup>87</sup> Act III, Sc. 4.

<sup>88</sup> Act IV, Sc. 2.

## NOTES ON LUCAN.

### 1.

iii, 39 f.:

- "Haereat illa <sup>1</sup> tuis per bella per aequora signis  
 25 Dum non securos liceat mihi rumpere somnos  
 Et nullum vestro vacuum sit tempus amori,  
 Sed teneat Caesarque dies et Iulia noctes.  
 Me non Lethaeae, coniunx, obliviae ripae  
 Immemorem fecere tui, regesque silentum  
 30 Permisere sequi. Veniam te bella gerente  
 In medias acies; numquam tibi, Magne, per umbras  
 Perque meos manes genero non esse licebit.  
 Abscidis frustra ferro tua pignora. Bellum  
 Te faciet civile meum." Sic fata refugit  
 35 Umbra per amplexus trepidi dilapsa mariti.  
 Ille, dei quamvis cladem manesque minentur,  
 Maior in arma ruit certa cum mente malorum,  
 Et "Quid" ait "vani tremur imagine visus?  
 Aut nihil est sensus animis a morte relictum  
 40 Aut mors ipsa nihil."

Lucan's fondness for obscure and riddling expression is well illustrated in the two last lines of this passage. As Pompey rouses from sleep, he tries to throw off the nightmare effect of his vision of the specter of Julia and of her threatening words by bringing cool reason to bear upon the situation. There is no special difficulty with line 39; for if death means annihilation, surely he has nothing to fear in this connection. But what then of *Aut mors ipsa nihil*, which is added as a contrasted alternative?

On the surface at least, these words seem rather a paraphrase of the idea that death means extinction than a statement of contrasted fact. Cf. the following lines, which are sometimes cited in this connection:

Seneca, *Troad.* 397 ff.:

Post mortem nihil est, ipsaque mors nihil,<sup>2</sup>  
 Velocis spatii meta novissima.

<sup>1</sup> I. e. Cornelia, whom Pompey had married after the death of Julia. The specter of the latter is represented as addressing him in a dream.

<sup>2</sup> In ix. 568, Lucan puts an analogous expression into the mouth of Cato: *An sit vita nihil?*

The difficulty of finding a suitable interpretation for the antithesis marked by Lucan's *aut . . . aut* is so great that Housman spares two or three lines in his critical edition to present the view of the scholiast, which he quotes as follows:

"Si non sentiunt umbrae, vana sunt quae vidi et non timenda: si vero sentiunt, mortem timere non debeo, quoniam nihil est mors, si habet sensum sicut vita."

This interpretation is followed in Duff's translation, to which is appended the footnote: "If sensation is lost, the vision is a mere delusion; and, if sensation remains, death is not dreadful."

This is reading much into the simple phrase *aut mors ipsa nihil*; and surely such an interpretation of the passage would never have been proposed, had it not been felt necessary to wring something resembling sense out Pompey's words.

Furthermore, if line 39 be understood as referring to Julia's condition, and line 40 to Pompey's fate, there is no satisfactory and adequate balance in the alternatives. Pompey may well feel safe, if Julia has been annihilated (line 39); but what if her spirit still lives? This last should be the subject of the second alternative, if Pompey is to be satisfied as to the security of his position.

In this connection it is worth noting that in the words of Julia there is no distinct threat against Pompey's life; rather, like a vampire, she will dog his way through life, interfering with his domestic felicity and intruding her influence at all inopportune times.

This is an added reason for finding, if we may, a reference to Julia's possible status in both alternatives, as Pompey, roused from sleep, tries to convince himself that his feelings have been unduly stirred by a meaningless dream (*vani imagine visus*).

Approaching the matter from this angle, it may be observed that Lucan is fond of using abstract terms for concrete; e. g.

iii. 474 ff.:

Ut tamen hostiles densa testitudine muros  
Tecta subit *virtus*, armisque innexa priores  
Arma ferunt. . . .

Here *virtus* is used to designate the brave soldiers who formed the *testudo*. Similarly *pietas* is used in speaking of the dutiful

friends who followed the example of Cornelia in kindling funeral fires upon the shore of Africa:

ix. 179 ff.:

Accipit *omnis*  
Exemplum *pietas*, et toto litore busta  
Surgunt Thessalicis reddentia manibus ignem.

In this same way, *mors* of the passage now under discussion could stand for *mortui*. The alternatives expressed by Pompey might then be: (1) death means annihilation (and Julia is non-existent), or (2) the dead for all their being (*mors ipsa*) are nothing (i. e. they have no power to harm). This clears up the whole situation so far as Julia is concerned—which seems to have been the matter that was pressing upon Pompey's mind.

It may well be that no interpretation of this obscure passage will ever be found that will satisfy all scholars. The one here proposed certainly fits the context well; and it involves less difficulty than the current view that *aut mors ipsa nihil* without more ado refers to the hope of life after death.

2.

v. 533 ff.:

Si iussa secutus  
Me vehis Hesperiam, non ultra cuncta carinae  
Debebis manibusque inopem duxisse senectam.

These are words addressed to the owner of a little craft whom Caesar is desirous of persuading to ferry him across the Adriatic by night, that he may hasten the embarkation of the troops left behind at Brundisium.

The general sense of the lines here quoted is obvious, namely that the man will be richly rewarded, if he carries his distinguished passenger safely over. But there is much diversity of opinion as to the grammatical construction and exact meaning of the last verse cited, and Housman finds the received text so unsatisfactory that he interpolates a line, as follows:

. . . non ultra cuncta carinae  
Debebis manibusque *inopportunamve* fereris  
*Pauperiam deflens* inopem duxisse senectam.

Whether such a heroic remedy is needful may be doubted;<sup>3</sup> a part of the trouble, at any rate, seems due to the forced meanings put upon *duxisse* in the closing phrase.

With *senectam*, the infinitive might easily mean "draw out," i. e. "prolong", as in such phrases as *aetatem ducere*,<sup>4</sup> *bellum ducere*,<sup>5</sup> *tempus (iter) ducere*,<sup>6</sup> etc. In connections of this sort, *ducere* is a rather close synonym of *trahere*.<sup>7</sup>

If the words *inopem duxisse senectam* are regarded as a noun phrase balancing *cuncta* above, then *manibus* falls into line as a dative, in the same construction as *carinae* of the preceding phrase: "Hereafter you will not owe all to your skiff, nor to the labor of your hands the prolongation of an indigent old age." So understood, the passage offers no very considerable difficulty, the general idea being that the man will not be dependent upon manual labor to keep life going in his later years.

Such redundancy as here appears is common enough elsewhere; indeed it is a characteristic feature of the Psalms; e. g. 46. 7: "The Lord of hosts is with us; the God of Jacob is our refuge;" so 63. 6: "When I remember thee upon my bed, and meditate on thee in the night watches." In like manner Martial speaks of the calm satisfaction with which Antonius Primus in his old age reviews the days gone by:

Nulla recordanti lux est ingrata gravisque;  
Nulla fuit, cuius non meminisse velit.<sup>8</sup>

### 3.

vi. 722 ff.:

Pavet ire in pectus apertum  
Visceraque et ruptas letali volnere fibras.  
A miser, extremum cui mortis munus inique  
Eripitur, non posse mori.

The Thessalian witch is resuscitating a warrior recently dead, and his reluctant shade stands by, unwilling to reënter its bodily prison—a situation which causes Lucan to break forth into words of pity.

<sup>3</sup> Cf. E. Fraenkel, *Gnomon*, II (1926), 528.

<sup>4</sup> E. g., Cicero, *de Fin.* v. 50.

<sup>5</sup> E. g., Tacitus, *Ann.* xii. 29. 4, *Hist.* ii. 32. 5.

<sup>6</sup> Tacitus, *Ann.* ii. 34. 6.

<sup>7</sup> Housman cites Ovid, *Met.* vii. 2: *trahens inopem . . . senectam*.

<sup>8</sup> x. 23. 5-6. Cf. Lucan, v, 5-6, v, 804-5, and vi. 803-5.



The editors very generally agree that *extremum . . . mortis munus* is defined by *non posse mori*; but as to the nature of the boon there is decided difference of opinion.

A rather subtle approach is found in the following passage:

Seneca, *Ep.* 24. 17: *moriar, . . . desinam mori posse.*

The idea here seems to be that if a person dies once, he is exempt thereafter—the process having been gone through once for all. On this basis, some suppose that Lucan pities the soldier because, though once dead, he has missed the boon of exemption from dying again (*non posse mori*). Such seems to be the view of Haskins;<sup>9</sup> and Duff's translation is specific; "Hapless wretch! unjustly robbed of death's last gift—the inability to die a second time."

Most of the editors, however, assume that Lucan's sympathy goes out to the soldier because he is dragged back to life against his will, and is not allowed the poor boon of dying in peace; and, as a matter of fact, this interpretation fits well with the immediate context.

But, from this point of view, the boon is *posse mori* (whereas the text reads *non posse mori*), and it becomes a question of handling the "redundant" negative. Francken ingeniously punctuates so as to make the infinitive phrase an exclamation:

Ah miser, *extremum cui mortis munus inique*  
*Eripitur; non posse mori!*

This makes excellent sense. If the arrangement seems too ingenious, there remains for consideration the explanation of the presence of the negative suggested by Weise, namely: "Abundat negatio, quae iam involvitur verbo *eripitur*." A parallel is not offered, and indeed a parallel might be hard to find; but with subjunctive substantive clauses a "redundant" negative is common enough; e. g.

Cicero, *de Off.* i. 83: *sed fugiendum illud etiam, ne offeramus nos periculis sine causa.*

This passage warns against exposing oneself to danger unnecessarily, and the negative is introduced merely in deference to *fugiendum*; the idea of the substantive clause is not itself negative. So again:

<sup>9</sup> Cf. Oudendorp ad loc.

Nepos, *Han.* 12. 3: His Prusia negare ausus non est: illud recusavit, *ne* id a se fieri postularent, quod adversus ius hospitii esset.

Prusias had to yield to the Roman demand for the surrender of Hannibal; but he objected to being called upon to make the arrest himself, the negative again being called for simply because of the character of the governing verb (*recusavit*).

Cicero, *Tusc. Disp.* ii. 16: Ergo id quod natura ipsa et quaedam generosa virtus statim respuit, *ne* scilicet dolorem summum malum diceret, . . . in eo magistra vitae philosophia tot saecula permanet.

Such passages illustrate in an interesting way the Latin tendency to introduce a "redundant" negative in clauses in connection with verbs of preventing, hindering, and the like. Had the metre allowed of *ne posset mori* for *non posse mori*, no difficulty would have been felt with the negative and there would have been no question about the interpretation of the passage that heads this note.

## 4.

## ix. 1079 ff.:

*Vertissem* Latias a vestro litore proras;  
Famae cura vetat, *ne* non damnassem cruentam  
Sed videar timuisse Pharon.

Thus Caesar expresses himself when met on shipboard by a deputation from the Egyptian court bringing the head of Pompey. The passage is correctly interpreted in the annotation of Schrevelius and by Weise; but Duff renders the first line: "I might have steered the Roman prows away from your coast."

There can be no question that *vertissem* is apodotic in force, i. e. "I should have steered", the following clause being adversative ("but", etc.). Such compromise expressions are common enough, the place of the normal contrary to fact condition being taken by an adversative statement, usually introduced by *sed*; e. g.

Cicero, *p. Sest.* 35: his tantis malis tanto bonorum studio, iudices, *restitissemus*; *sed* me alii metus . . . moverunt.<sup>10</sup>

The passage from Lucan involves the same principle, though *sed* is lacking, his preference being for the more compendious

<sup>10</sup> For discussion of Cicero's usage, see The Latin Conditional Sen-

form.<sup>11</sup> At least one example may be cited in which *sed* is employed:

iii. 636 ff.:

*Mersus foret ille profundo;  
Sed prohibent socii suspensaque crura retentant.*

In certain other passages Lucan introduces another variation by replacing the pluperfect subjunctive with the pluperfect indicative; e. g.

iii. 597 ff.:

*Hic Latiae rostro compagem ruperat alni;  
Pila sed in medium venere trementia pectus,  
Avertitque ratem morientis dextra magistri.*

The Massiliote pilot with his ram "had shattered" the Roman craft; *but* quivering spears found a mark in the center of his breast, and in his death throes his right hand sent his own vessel wide of the mark.<sup>12</sup> So without *sed*:

v. 600 ff.:

*Pontus et in scopulos totas erexerat undas;  
Occurrit gelidus boreas pelagusque retundit.*<sup>13</sup>

5.

x. 22 ff.:

*Sacratis totum spargenda per orbem  
Membra viri posuere adytis. Fortuna pepercit  
Manibus, et regni duravit ad ultima fatum.*  
25 *Nam sibi libertas umquam si redderet orbem,  
Ludibrio servatus erat, non utile mundo  
Editis exemplum, terras tot posse sub uno  
Esse viro.*

Lucan thus reflects upon the visit of Caesar to the tomb of Alexander the Great. In line 26 there is some question as to the force of *servatus erat*. Haskins renders thus: "For had freedom at any time restored the world to her own sway, he would have been preserved to be treated with mockery." There is a slight ambiguity in this translation;<sup>14</sup> but Duff, who ob-

tence, University of California Publications in Classical Philology, viii, 137 ff.

<sup>11</sup> Cf. x. 39 ff. and 104 ff.

<sup>12</sup> In iii. 702 the imperfect indicative is used.

<sup>13</sup> Cf. in this connection viii. 577 ff., and ix. 253 ff., with Housman's note on the latter passage; so *potuit*, vi. 300.

<sup>14</sup> Without comment, Haskins cites fergil, *Georg.* ii. 132: *si non alium*

viously bases his own rendering upon it, makes minor changes that seem to clarify Haskins' version, the idea being that if freedom at some point had brought the world back to normal condition, (from that time on) Alexander's body would have been preserved to point a moral.

It is much more likely, however, that *servatus erat* refers to the time of burial referred to in lines 22-23. The meaning of the sentence in question would then be: "If at any time freedom had restored the world to itself, (it would prove that) he had been preserved (only) to be treated with calumny. Lucan would then be speaking of a fanciful decree of fate different from the actual decree (lines 23-24).

From the point of view of syntax, it is a question here of different modes of conditional thought, the inferential mode being best suited to the interpretation of this passage.<sup>15</sup> For the turn used in the apodosis of the English rendering, cf. the following:

i. 284 ff.:

Facili si proelia pauca  
Gesseris eventu, tibi Roma *subegerit* orbem.

Encouraging Caesar to carry through the project begun, Curio declares: "If you will but win a few easy victories, (it will prove that) it was for you that Rome has (already) conquered the world."<sup>16</sup> So outside the conditional connection:

i. 635 ff.:

Di visa secudent,  
Et fibris sit nulla fides, sed conditor artis  
*Finxerit* ista Tages.

The Tuscan seer, finding the entrails unpropitious, expresses the hope that the gods will yet give a favorable turn to the sacrifice, that the portents may be unreliable, and that "Tages, founder of the guild, may (prove to) have been an impostor."

UNIVERSITY OF CALIFORNIA.

H. C. NUTTING.

longe iactaret odorem, laurus erat. This may be intended merely to illustrate the use of an indicative conclusion with a subjunctive condition.

<sup>15</sup> On the various modes, see The Latin Conditional Sentence (cited above), 45 ff., esp. 51.

<sup>16</sup> Cf. *fuert*, Ovid, *Met.* xiii. 254.

## ON THE AUTHENTICITY OF THE LETTERS ATTRIBUTED TO SAINT BASIL IN THE SO-CALLED BASIL-APOLLINARIS CORRESPONDENCE.

[From the unfamiliar usages in the language of both letters, but more especially from Basil's own statements in his authentic letters, it seems evident that these letters were not written by Basil, but were clever forgeries by some of his enemies.]

Included in the corpus of Saint Basil's works are four much discussed letters, numbered in the Benedictine edition of 1839 as 361, 362, 363, and 364. Two of these, Letters 361 and 363, are attributed to Saint Basil, and the remaining two to that Apollinaris, Bishop of Laodicea, who became involved in the Arian heresy and who was condemned by several synods of Alexandria and Rome and finally by the General Council of Constantinople in 381. Of the letters in question Letter 361 purports to be a petition of Basil for an explanation of the meaning of *ὁσία*, and Letter 363, a letter of thanks for the great kindness of Apollinaris in giving so clear an explanation to his doubts. Letter 362, attributed to Apollinaris, is an explanation of his own on the meaning of *ὁσία*, and Letter 364 is a call upon Basil to aid him in his defense of the Faith, as the question has again arisen concerning the meaning of *ὁμοούσιον* and *ὁσία*.

These letters have been the occasion of a long controversy. They were first published in 1681 by Cotelier, who, himself, believed that they were forgeries of the Arians or Apollinarists who were rejecting the word *ὁσία* as contrary to the Holy Scriptures and were seeking to authorize their doctrines by means of these letters.<sup>1</sup> Tillemont,<sup>2</sup> in 1714, supported Cotelier's opinion. Shortly afterwards, in 1730, Maran<sup>3</sup> added his arguments against the genuineness of the letters, drawn from Basil's assertions in other letters, especially Letter 224 and Letter 226. Then in

<sup>1</sup> Dräseke, J., "Der Briefwechsel des Basilios mit Apollinarios von Laodicea." *Zeitschrift für Kirchengeschichte* 8 (1886), 85 f.

<sup>2</sup> Tillemont, M., *Mémoires pour servir à l'Histoire Ecclésiastique des Six Premiers Siècles*, IX. Paris, 1714. 633.

<sup>3</sup> Maran, Pr., *Vita S. Basilii Magni*. Benedictine ed. of St. Basil's works. Paris, 1839. 3, XLVI.

1898, after Dräseke's <sup>4</sup> ardent championship of authenticity in 1886, Loofs <sup>5</sup> refuted Dräseke's views and gave his own arguments against the genuineness of the letters. These opinions of Loofs were rejected by Bolotov <sup>6</sup> in 1909, but were approved by Bessières, <sup>7</sup> who in 1922 confirmed them by the testimony which he was able to supply from an intensive study of all the manuscripts of Basil's Letters.

Dräseke's arguments for the genuineness of these letters are based on a study of their content; Bolotov's, as re-stated by Bonwetch, on a study of both their style and content. My own study of the content and style of Saint Basil's Letters <sup>8</sup> has led to discoveries that bear directly upon the arguments of these two protagonists for the genuineness of the so-called Basil-Apollinaris correspondence. Taking up their arguments point by point, I shall apply to each argument observations of my own based on my independent study, and here and there observations of other Basilian students, which seem to me pertinent.

1) Dräseke claims that Cotelier and the Benedictine editors declared these letters unauthentic in order to shield Basil from any charge against his Faith, due to his correspondence with heretics. I wish to ask why he thinks that Basil's orthodoxy would be questioned on account of these letters, since, as Dräseke himself acknowledges, at the time the letters were written Apollinaris was an orthodox Catholic. Moreover, Basil, referring to the heresy of Apollinaris, says in Letter 224, ὅτι μὲν οὖν οὐτε ἐγράψαμεν ἐκεῖνα, οὐτε συντεθείμεθα αὐτοῖς, ἀλλὰ καὶ ἀναθεματίζομεν τοὺς ἔχοντας ἐκεῖνο τὸ πονηρὸν φρόνημα, τὸ τῆς συγχύσεως τῶν ὑποστάσεων, ἐν ᾧ ἡ ἀσεβειστάτη αἵρεσις τοῦ Σαβελλίου ἀνευώθη· τοῦτο μὲν οὖν γινώριμον τῷ Θεῷ, τῷ τὰς καρδίας γινώσκοντι· γινώριμον δὲ καὶ πάσῃ τῇ ἀδελφότητι, τῇ εἰς πείραν ἐλθούσῃ τῆς ἡμετέρας ταπεινώσεως. "God,

<sup>4</sup> Dräseke, J., *op. cit.*, 85-123.

<sup>5</sup> Loofs, P., *Eustathius von Sebaste*. Halle a. S., 1898. 74 ff.

<sup>6</sup> Bonwetch, N., "Letters to Apollinaris," *Theol. Studien und Kritiken*, 82 (1909), 625-628.

<sup>7</sup> Bessières, M., *La Tradition de la Correspondance de S. Basile*. Oxford, 1923. 161.

<sup>8</sup> Way, Sister Agnes Clare, *The Language and Style of the Letters of St. Basil*. Washington, Catholic University, 1927.



who knows men's hearts, knows that I never wrote these things, nor sanctioned them, but that I anathematize all who hold the vile opinion of the confusion of the hypostases, on which point the most impious heresy of Sabellius has been revived. And all the brethren who have been personally acquainted with my insignificant self know it equally well." St. Basil would be strangely inconsistent if he made such a statement and at the same time was a disciple of the heresy against which he directed much of his energy and many of his writings.

2) Dräseke demands grounds for Cotelier's declaration of a forgery. These are adequately provided by Loofs, who is supported in his theory by Bessières. Loofs asserts that these letters were written, not by the Arians or Apollinarists, as Cotelier supposed, but by the party of Eustathius in order to prove a close relationship between Basil and Apollinaris, and that Letter 364 had the aim, merely of proving that there was a great exchange of letters between Basil and Apollinaris, which was also Cotelier's opinion. Loofs admits that there was one authentic letter of Basil to Apollinaris which, according to Basil's testimony, was altered.

3) Dräseke thinks it probable that these four letters were eliminated from Basil's collection to be destroyed, but that chance preserved them. This opinion has no foundation, nor could proof of such a fact be established. Therefore, it may be disregarded.

4) In contradiction to the testimony of Ephraim, the Syrian, invoked by Dräseke, who says that Ephraim, the Syrian, a contemporary of Basil's, refers to a letter of Basil to Apollinaris supporting the doctrine that the Divine λόγος suffered in body, against the blasphemous assertion of the opponents who said that the Divine nature also suffered, it is possible to quote several of Basil's own statements from Letters in which he discusses the accusation made against him of corresponding with Apollinaris. In Letter 131 of the year 373, Basil says of a letter which was being circulated as his, *Γίνωσκε τοίνυν, ἀδελφέ, καὶ πᾶς ὅστις τῆς ἀληθείας φίλος, μήτε ἐμὰ εἶναι τὰ συντάγματα, οὔτε ἀρέσκεσθαι αὐτοῖς, ἐπεὶ μὴ τῇ ἐμῇ γνώμῃ συγγεγράφθαι. εἰ δὲ ἐπέστειλά ποτε πρὸ πολλῶν ἐνιαυτῶν Ἀπολιναρίῳ ἢ ἄλλῳ τινί, ἐγκαλεῖσθαι οὐκ ὀφείλω.* "Be sure then, my brother, and everyone who is a friend of the truth,

that the composition is not mine; I do not approve of it, for it is not drawn up according to my views. Even if I did write, a good many years ago, to Apollinaris or to anyone else, I ought not to be blamed." In Letter 224 of the year 375, Basil writes, *εἰ δὲ ἐπιστολὴν προφέρουσι τὴν λοιπὸν πρὸς κ' ἐτῶν γραφεῖσαν αὐτῷ παρὰ λαϊκοῦ πρὸς λαϊκόν· καὶ οὐδὲ ταύτην ὡς γέγραπται παρ' ἐμοῦ, ἀλλὰ μεταποιηθεῖσαν, ὑπὸ τίνων δὲ ὁ Θεὸς οἶδε, γνωρίσατε αὐτόθεν τὴν ἀδικίαν, ὅτι οὐδεὶς ἐν ἐπισκοπῇ ὦν ἐγκαλεῖται, εἴ τι, κατὰ ἀδιαφορίαν ἐν τῷ λαϊκῷ βίῳ, ἀπαρτηρήτως ἔγραψε· καὶ τοῦτο μὴδὲ περὶ πίστεως, ἀλλὰ ψιλὸν γράμμα φιλικὴν ἔχον προσηγορίαν.* "If they adduce the letter written say five and twenty years ago, written by layman to layman, and not even this as I wrote it, but altered (God knows by whom), from that very fact recognize their unfairness. No bishop is accused if, when a layman, he wrote something somewhat incautiously on an indifferent matter; not anything concerning the Faith, but a mere word of friendly greeting." In Letter 226 we find, *οἱ ἐμοὶ λόγοι ἐμὲ κρινέτωσαν· ὑπὲρ δὲ ἀλλοτρίων ἡμᾶς σφαλμάτων μὴδεὶς καταδικάζετω, μὴδὲ τὰς πρὸς εἴκοσιν ἐτῶν γραφεύσας παρ' ἡμῶν ἐπιστολάς εἰς ἀπόδειξιν προβαλλέσθω τοῦ νῦν κοινωνικοῦς ἡμᾶς εἶναι τοῖς ἐκείνα συγγράψασιν· ἡμεῖς γάρ, πρὸς τῶν συγγραμμάτων, λαϊκοὶ ὄντες πρὸς λαϊκοὺς ἐπεστέλλομεν, πρὸς τοῦ τινος καὶ ὑπόνοιαν τοιαύτην κατ' αὐτῶν κινεῖσθαι· καὶ ἐπεστέλλομεν οὐδὲν περὶ πίστεως οὐδ' οἷα νῦν ἐπὶ τῇ καθ' ἡμῶν διαβολῇ περιφέρουσιν οὗτοι· ἀλλὰ ψιλὰς προσηγορίας, ἀγαπητικὴν προσφώνησιν ἀποπληρούσας.* "Let my own words judge me. Let no one condemn me for other men's errors, nor adduce letters written twenty years ago in proof that I now have fellowship with the writers of such things. Before these things were written, and before any suspicion of this kind had been stirred up against them, I did write as layman to layman. I wrote nothing about the Faith nor in any way like that which they are now carrying about to calumniate me. I sent nothing but a mere greeting, sufficient for a kindly salutation." In Letter 129 Basil writes to Meletius, Bishop of Antioch, *Γράφοντες γάρ τισι τῶν καθ' ἐαυτούς, καὶ προσθέντες τὴν καθ' ἡμῶν διαβολήν, ἐπὶ γαγον ταῦτα, ῥήματα μὲν αἵρετικῶν ὀνομάσαντες, τὸν δὲ πατέρα τῆς συγγραφῆς ἀποκρυψάμενοι, ἵνα τοῖς πολλοῖς ἡμεῖς νομισθῶμεν εἶναι οἱ λογογράφοι.* "For writing to some of their party, they advanced their false accusation against me, and then added the words I have quoted, describing them as the work of heretics, but saying

nothing as to the author of the document, in order that it might vulgarly be supposed to have come from my pen." According to these protests of Basil it is evident that in the early years of his episcopate<sup>9</sup> a letter addressed to Apollinaris was being circulated as having been written by St. Basil. From Basil's own words it may be concluded that he did not write the letter in question but that it was framed by enemies in order to cast a doubt on Basil's orthodoxy. Although we have the statement of a contemporary as to a letter which he had seen and which he said was written by Basil to Apollinaris, nevertheless, Basil's constant denials of having written any letter to Apollinaris referring to matters of Faith<sup>10</sup> is more trustworthy. Ephraim might have made a mistake as to the name of the addresser or the addressee, but Basil could not fail to know to whom he had written on matters of Faith.

5) According to Dräseke the internal evidence of the Letters supports his theory that the letters were written by Basil and Apollinaris, since in Letter 361 an incidental remark is made that Gregory has returned to his parents, and Letter 364, as though in answer to the remark, states that Gregory remains silent. The allusion to Gregory gives Dräseke a cue. In forged documents historical circumstances are usually inaccurate, vague, and contradictory. Now Basil acknowledges in Letters 224 and 226 that he wrote a letter to Apollinaris about the year 351 or 356. But at this time Basil was studying or traveling, and it was only in 358 that he devoted himself to a more intense study of the Sacred Scriptures, after which he made his journey to Syria, Egypt, and Palestine. Hence letters referring to these events could only have been written about the year 361 when he withdrew to the solitude while Gregory remained at home to take care of his aged parents. Therefore Dräseke argues that the four letters must have been written at about this time, and that the date mentioned in Letters 224 and 226 ( $\kappa\epsilon'$ , i. e. 25 years and  $\kappa'$ , i. e. 20 years before) was probably written by mistake instead of  $\iota\epsilon'$ , i. e. 15 years, which proves then, the historical setting of the letters correct in their reference to Gregory. He

<sup>9</sup> The dates assigned to these letters by the Benedictines are 373 and 375.

<sup>10</sup> Cf. *Letters of St. Basil*, 224 and 226.

adds, too, that it is not surprising to find Basil writing to Apollinaris for an explanation of doctrine, especially since in the year 361 the question of the use of the word *οὐσία* was uppermost in the minds of churchmen, and since it was at this time that Apollinaris became famed as a defender of the Church. Bolotov adopts Dräseke's explanation in this matter.

Now, it is evident that since Basil acknowledges that he wrote to Apollinaris one letter when both were laymen, viz., in Letters 224 and 226, the date of this authentic letter is important in determining whether or not it is one of the two letters attributed to Basil in this discussion. In Letter 224 he says, *ἀλλ' ἐροῦσιν, ὅτι κοινωνὸς Ἀπολιναρίου ἐγώ, . . . εἰ δὲ ἐπιστολὴν προφέρουσι τὴν λοιπὸν πρὸ κ' ἐτῶν γραφεῖσαν αὐτῷ, παρὰ λαϊκοῦ πρὸς λαϊκόν . . . γνωρίσατε αὐτόθεν τὴν ἀδικίαν.* "But they will urge that I am in communion with Apollinaris, . . . if they adduce the letter written say five and twenty years ago, written by layman to layman . . . recognize their unfairness." In Letter 226, speaking of the same charge, Basil writes, *μηδὲ τὰς πρὸ εἴκοσιν ἐτῶν γραφεύσας παρ' ἡμῶν ἐπιστολὰς εἰς ἀπόδειξιν προβαλλέσθω τοῦ νῦν κοινωνικοῦς ἡμᾶς εἶναι τοῖς ἐκεῖνα συγγράψασιν.* "Let no one adduce letters written twenty years ago in proof that I now have communion with the writers of such things." The inconsistency of Basil's statements in these two letters has occasioned much discussion since he says in Letter 224, written in the year 375, that he wrote it *πρὸ κ' ἐτῶν*, "twenty-five years before," and in Letter 226, written in the same year, *πρὸ εἴκοσιν ἐτῶν*, "twenty years before;" also in Letter 223, which was written in the same year as the two preceding, in speaking of Apollinaris, Basil says, *εἴκοσι γὰρ ἔτη ἐστὶν εἰς τὸν νῦν χρόνον ἀφ' οὗ γέγραπται τι πρὸς τὸν ἄνδρα ἐκεῖνον.* "It is now twenty years since anything has been written to that person." Maran's<sup>11</sup> explanation of the discrepancy on this point between Letter 224 on the one hand and Letters 223 and 226 on the other, as probably due to a copyist's mistake in the case of Letter 224 seems reasonable. The phrase *πρὸ κ' ἐτῶν* could very easily be the result of a *πρὸ κ' ἐτῶν* actually written by Basil and an *ε* inadvertently added by the copyist to the *κ* from the *ε* of the following *ἐτῶν*. Dräseke presumes too far. In order to make the historical events men-

<sup>11</sup> Maran, Pr., *op. cit.*, 3, XLVI.

tioned in the Letters 361 to 364 correspond with the time that Basil acknowledges to have written to Apollinaris he argues that the mistake made by the copyists was not only that of adding the following  $\epsilon$  to the  $\kappa$  in the one case, but that  $\kappa$  was written instead of  $\iota$ , and that the real date given by Basil was  $\iota\epsilon'$ , i. e. fifteen years before. This date would place Letters 361 to 363 as written about the year 360, a very convenient date for Dräseke, since the reference to Gregory's remaining with his parents, to Basil's earnest study of the Scriptures, and to his life in the Pontus, would be accurate historically. But has Dräseke the right to assume such a change in the dates? It might be reasonable for a copyist to make such a double mistake once, in the case of Letter 224, but this could not explain the  $\pi\rho\delta$   $\epsilon\acute{\iota}\kappa\omicron\sigma\iota\nu$  in Letters 223 and 226. Dräseke's explanation involves a mistake each time the date is given, and for two of these mistakes (in Letters 223 and 226) he has to assume a remarkably perverse tendency to error. The rejection of Dräseke's opinion in this matter overthrows any claim to historical accuracy.

6) Bolotov thinks that to doubt this correspondence because it is not found in the earliest manuscripts of Basil and of patristic literature is to doubt nearly all of Basil's letters. However, Bessières' decision against the reliability of these letters, based on an intensive study of the manuscripts, is most probably correct, certainly more so than a mere opinion expressed by Bolotov.

7) Statements in several of Basil's authentic letters are cited by Bolotov as an attempt on the part of Basil to evade a direct denial of the charges urged against him. One such passage in Letter 244 reads,  $\sigma\acute{\upsilon}$   $\mu\eta\nu$   $\pi\epsilon\rho\iota$   $\tau\omicron\upsilon$   $\Pi\nu\epsilon\acute{\upsilon}\mu\alpha\tau\omicron\varsigma$   $\tau\omicron\upsilon$   $\acute{\alpha}\gamma\iota\omicron\upsilon$   $\eta$   $\alpha\acute{\iota}\tau\eta\varsigma$   $\alpha\upsilon\tau\omicron\nu$   $\omicron\acute{\iota}\delta\alpha$   $\beta\iota\beta\lambda\acute{\iota}\omicron\nu$ ,  $\eta$   $\acute{\alpha}\pi\omicron\sigma\tau\alpha\lambda\acute{\epsilon}\nu$   $\upsilon\pi\omicron\delta\epsilon\acute{\xi}\acute{\alpha}\mu\epsilon\nu\omicron\varsigma$ . "I do not know that I have ever asked him for a book on the Holy Spirit, or received it on his sending." Bolotov refers also to Letter 224,  $\acute{\alpha}\pi\alpha\iota\tau\eta\theta\acute{\eta}\tau\omega\sigma\alpha\nu$   $\tau\acute{\alpha}\varsigma$   $\acute{\alpha}\pi\omicron\delta\epsilon\acute{\iota}\xi\epsilon\iota\varsigma$ .  $\epsilon\acute{\iota}$   $\mu\acute{\epsilon}\nu$   $\gamma\acute{\alpha}\rho$   $\kappa\alpha\rho\delta\acute{\iota}\alpha\nu$   $\acute{\alpha}\nu\theta\rho\acute{\omega}\pi\omicron\upsilon$   $\delta\iota\epsilon\rho\epsilon\nu\eta\nu$   $\acute{\iota}\sigma\alpha\sigma\iota$ ,  $\tau\omicron\upsilon\tau\omicron$   $\acute{\omicron}\mu\omicron\lambda\omicron\gamma\eta\sigma\acute{\alpha}\tau\omega\sigma\alpha\nu$ ·  $\kappa\alpha\acute{\iota}$   $\gamma\nu\omega\rho\acute{\iota}\sigma\alpha\tau\epsilon$   $\alpha\upsilon\tau\omega\nu$   $\tau\eta\nu$   $\pi\epsilon\rho\iota$   $\pi\acute{\alpha}\nu\tau\alpha$   $\acute{\alpha}\lambda\eta\theta\epsilon\iota\alpha\nu$ .  $\epsilon\acute{\iota}$   $\delta\acute{\epsilon}$   $\acute{\epsilon}\kappa$   $\tau\omega\nu$   $\phi\alpha\iota\nu\omicron\mu\acute{\epsilon}\nu\omega\nu$   $\kappa\alpha\acute{\iota}$   $\pi\acute{\alpha}\sigma\iota$   $\pi\rho\omicron\delta\acute{\eta}\lambda\omega\nu$   $\acute{\epsilon}\lambda\acute{\epsilon}\gamma\chi\omicron\upsilon\sigma\acute{\iota}$   $\mu\omicron\nu$   $\tau\eta\nu$   $\kappa\omicron\iota\nu\omega\nu\acute{\iota}\alpha\nu$ ,  $\delta\epsilon\acute{\iota}\xi\acute{\alpha}\tau\omega\sigma\alpha\nu$   $\eta$   $\kappa\alpha\nu\omicron\nu\acute{\iota}\kappa\acute{\alpha}$   $\gamma\rho\acute{\alpha}\mu\mu\alpha\tau\alpha$   $\pi\alpha\rho'$   $\acute{\epsilon}\mu\omicron\upsilon$   $\pi\rho\delta\varsigma$   $\alpha\upsilon\tau\omicron\nu$   $\delta\iota\alpha\pi\epsilon\mu\acute{\omicron}\mu\acute{\epsilon}\nu\alpha$ ,  $\eta$   $\pi\alpha\rho'$   $\acute{\epsilon}\kappa\epsilon\acute{\iota}\nu\omicron\upsilon$   $\pi\rho\delta\varsigma$   $\acute{\epsilon}\mu\acute{\epsilon}$ . "Let them be asked for proof. If they are able to search into a man's heart, let them



say so; and you admit the truth of all that they say about everything. If, on the other hand, they are trying to prove my being in communion on plain and open grounds, let them produce either a canonical letter written by me to him, or by him to me." Even if Basil did not give a definite "no" in these passages, nevertheless he says very definitely in Letter 223, *είκοσι γὰρ ἔτη ἐστὶν εἰς τὸν νῦν χρόνον ἀφ' οὗ γέγραπται τι πρὸς τὸν ἄνδρα ἐκείνον*. "For it is now twenty years since anything has been written to that person." This would fix the date of the letter at about the year 355, some years too early for the events mentioned in the four letters; and yet Basil says positively that he has written nothing to Apollinaris since.

8) In 1796 Sebastiani published a letter written, as he claimed, by Basil to Apollinaris. According to Bolotov, the letter published by Sebastiani is not the same as Letter 361 since it treats of anti-Sabellian theology, but it confirms the theory that there was a great exchange of letters between Basil and Apollinaris. However, Bessières shows that, according to Anglicanus 13 and the Coislinianus 237, the forged letter of Apollinaris, circulated by Eustathius, is identical with that published by Sebastiani. For this reason and because of the fact that the four letters under discussion are found in only two manuscripts, Parisinus 1020 S (Family Bx) and Monacensis 497 (manuscript of the second hand), both of the lowest reliability, he credits Loofs's explanation that the followers of Eustathius wrote all of those letters to compromise Basil.

9) Bolotov also refers to the simplicity of style of these letters as being similar to that of Basil's. But a forger would attempt to copy the style as much as possible. It is only in the characteristic words and phrases that he could be discovered. From my study of the language of St. Basil's letters I find the expression, *λογίων θείων*, which occurs in both of these letters in referring to the Sacred Scriptures, suspicious. Basil uses the expression *λογίων* only once in his authentic letters with this signification, viz. in CCVII 311 B;<sup>12</sup> and there he does not accompany it with the adjective *θείων*. His usual expressions for the Holy Scripture are: *ἡ ἁγία Γραφή*, *αἱ θείαι Γραφαί*, and *ἡ θεόπνευστος Γραφή*.

<sup>12</sup> Way, Sister A. C., *op. cit.*, 115.



Another peculiarity that bears comment is the formal opening of these letters. Letter 361 begins, *Τῷ δεσπότη μου αἰδεσιμωτάτῳ Ἀπολιναρίῳ Βασίλειος*, and Letter 363, *Τῷ δεσπότη μου, τῷ αἰδεσιμωτάτῳ ἀδελφῷ, Ἀπολιναρίῳ Βασίλειος*. Basil is not fond of this formal introduction although it is in common use among writers of that age. In all his authentic letters he has the formal beginning in only three places, viz. in Letters 92 and 243, both written in the name of the Church of the East to that in the West, and in Letter 264, To Barses, Bishop of Edessa, in exile. Moreover, although the title *δεσπότης* is commonly employed for bishops at that period, Basil has never used it in addressing bishops and has used it only once in addressing a layman.<sup>13</sup> In both of these letters it is found in the formal opening sentence.

From the unfamiliar usages in the language of both letters, but more especially from Basil's own statements in his authentic letters, it seems evident that these letters were not written by Basil, but were clever forgeries by some of his enemies.

SISTER AGNES CLARE WAY.

OUR LADY OF THE LAKE COLLEGE,  
SAN ANTONIO, TEXAS.

<sup>13</sup> *Ibid.*, 163.

ON SENECA'S *APOCOLOCYNTOSIS*, IV.

[The article is summarized in the last paragraph.—ED.]

In the fourth chapter of the *Apocolocyntosis* the Fates are represented as spinning the life thread of Nero, and special emphasis is laid upon length of years:

Vincunt Tithoni, vincunt et Nestoris annos (l. 14)

plus solito nevere manus humanae fata (l. 19)

laudatum transcendit opus. 'ne demite Parcae'

Phoebus ait 'vincat mortalis tempora vitae

ille [Nero] mihi similis vultu similisque decore

nec cantu nec voce minor.'

Then at the close of these verses and almost at the end of the chapter Seneca reverts to prose and writes: "At Lachesis, quae et ipsa homini formosissimo faveret, fecit illud plena manu, et Neroni multos annos de suo donat."<sup>1</sup>

The insistence on a fabulously long life for the emperor is probably presented as a point the meaning of which would be significant in the context. The whole essay abounds in travesty on apotheosis and all the paraphernalia of the ruler cult. Seneca makes sport of the poets for their bombastic and ornate treatment of sunrise, sunset, and even mid-day (ch. 2). The anapaestic lines on Claudius' death (ch. 12) ridicule such fawning praise as was lavished by the court poets.

So even here in the lines ostensibly lauding Nero there seems to lurk, if not travesty, at least reminiscence of or pointed reference to the adulatory praises of the Augustan poets who prayed that Augustus' years might be many, and that he might be late in going to dwell in heaven. Horace, for example, had expressed exactly this thought in his *serus in caelum redeas*,<sup>2</sup> but I believe that the influence of Ovid is responsible for

<sup>1</sup> There is no reference made in the edition of Ball (New York, 1902), nor in the translation and commentary of Weinreich (Berlin, 1923), nor in Heinze's "Zu Senecas Apocolocyntosis," *Hermes*, LXI (1926), p. 57, to any literary reminiscence from Ovid which may have influenced Seneca in this chapter.

<sup>2</sup> *C.*, I, 2, 45.

Seneca's words on the longevity granted Nero by the Fates. In writing the *Apocolocyntosis* Seneca must have had constantly in mind the *Metamorphoses*, and that such was in fact the case is shown by the motion of Diespiter that Claudius be made a god and that this event "be added to the *Metamorphoses* of Ovid (sec. 9)."

Ovid had referred to Augustus as follows:

nec nisi cum senior Pyllos<sup>3</sup> aequaverit annos,  
aetherias sedes cognataque sidera tanget.<sup>4</sup>

and

tarda sit illa dies et nostro serior aevo,  
qua caput Augustum, quem temperat, orbe relicto  
accedat caelo faveatque precantibus absens.<sup>5</sup>

Again, addressing Augustus,

sic habites terras et te desideret aether,  
sic ad pacta tibi sidera tardus eas.<sup>6</sup>

The same sentiment occurs, in all, four times in the *Tristia*, for Ovid wrote:

di tamen et Caesar dis accessure, sed olim,  
aequarint Pyllos cum tua fata dies.<sup>7</sup>

and

iure deos, ut adhuc caeli tibi limina claudant,  
teque velint sine se, comprecor, esse deum.<sup>8</sup>

and

optavi, peteres caelestia sidera tarde.<sup>9</sup>

Ovid, when he mentions the restoration of the temples by Augustus, cannot lose this chance for flattery but cries:

dent tibi caelestes, quos tu caelestibus, annos.<sup>10</sup>

A comparison of the lines cited from Ovid with the fourth

<sup>3</sup> *Similes* is found in most manuscripts. Cf. the apparatus of the edition of H. Magnus (1914).

<sup>4</sup> *Met.*, XV, 838-839.

<sup>5</sup> *Ibid.*, XV, 868-870.

<sup>6</sup> *Tristia*, V, 2, 52.

<sup>7</sup> *Ibid.*, V, 5, 61-62.

<sup>8</sup> *Ibid.*, V, 11, 25-26.

<sup>9</sup> *Ibid.*, II, 57.

<sup>10</sup> *Fasti*, II, 65.

chapter of the *Apocolocyntosis* is striking. The request of years surpassing human lot for the emperor had evidently become a commonplace with court poets, and it was probably attended, as a rule, with the promise of apotheosis after death, as was the case in Horace and so often in Ovid. With or without intention, Seneca employed this commonplace in the fourth chapter of his satire, and it seems quite likely that Ovid was here the source of Seneca's inspiration.

KENNETH SCOTT.

WESTERN RESERVE UNIVERSITY.

## REPORTS

PHILOLOGUS, LXXXIV (N. F. XXXVIII), 1929.

Pp. 1-9. Fr. Pfister, Die Hekate-Episode in Hesiods Theogonie. A discussion of lines 411-452 of the Theogony. The passage is intended to express the honors of Hecate and her power among men. It is capable of being subdivided into small sections, each of which discusses a specific point. This is not an independent hymn of the Hecate cult, it was composed by the author of the Theogony especially for the place in which it appears. The Hecate passage may owe something to the hymn writers, but Hesiod's attitude toward the goddess is different from that of the Homeric epic.

Pp. 10-34. Max Bernhard, Die penthemimerischen Wortformen im griechischen und römischen Pentameter. A collection and examination of all the words in Greek and Latin poetry which fill the entire half of a pentameter verse. The investigation covers the literary remains, the manuscripts, and the inscriptional evidence. The results are all arranged in tables. Several general conclusions are arrived at. 1. Although there are more Latin than Greek pentameters in existence, the phenomenon is commoner in Greek than in Latin. 2. In the Greek poets these forms occur about equally in the two halves of the verse, while in Latin they appear chiefly in the first kolon. 3. Out of 99 Greek words, 13 (13.2%) are proper names, out of 64 Latin, 25 (39%) are proper names. 4. On the Greek grave inscriptions the age of the deceased is often expressed by one penthemimeral word, a usage which is unknown in Latin. 5. Some of the Greek epigrammatists have invented new expressions; this usage, too, is unknown in Latin.

Pp. 35-50. Leo Weber, Zum athenischen Staatsfriedhof. Numerous objections are offered to the conclusions reached by von Domaszewski in his monograph, Der Staatsfriedhof der Athener, regarding the position of the graves in the Athenian cemetery.

Pp. 51-81. Ph. Finger, Die beiden Quellen des III. Buches der Tusculanen Ciceros. The article begins with an elaborate discussion of Posidonius' theory of the passions. This is necessary in order to trace the sources used by Cicero. The author then proceeds to a discussion of the actual sources through an analysis of the third Tusculan. The article is continued on a later page.

Pp. 82-115. H. Georgii, Textkritische Beiträge zu Seneca. Observations on 94 disputed passages in Seneca's prose works.

Pp. 116-120. Miscellen. 1. pp. 116-118. E. De Waele, Ad Aesch. Pers. 683. An ingenious explanation is offered to obviate the necessity of emendation. 2. pp. 118-119. B. Warnecke, Szenisches zum Hautontimorumenos des Terenz. The unity of place is as freely handled in this play as the unity of time. A similar freedom of treatment can be attributed to the Greek original. 3. pp. 119-120. Paul Keseling, Seneca Apocolocyntosis 7, 2, 11-13 und Caesar Bellum Gallicum I, 12, 1. Seneca's description of the Gallic rivers was not based on actual observation, it was a literary commonplace that may have been borrowed from Caesar.

Pp. 121-136. Paul Wolters, Das spartanische Siegesdenkmal der Schlacht bei Tanagra. The inscription could not have stood over the gable of the temple, it would have been illegible there. The *φιάλη* mentioned by Pausanias is a round metal akroterion on the front of the building. Inasmuch as this formed an integral part of the structure, the inscription must date from the completion of the temple in the 81st Olympiad (456). This position of the inscription helps also to explain its wording.

Pp. 137-152. Rudolf Pfeiffer, Gottheit und Individuum in der frühgriechischen Lyrik. An attempt to arrive at some general notions about the lyric period. The omnipotence of the gods, the powerlessness of man, and his dependence on the gods are common themes in the lyric. This is not an expression of the personalities of the poets, it is a state of mind peculiar to the lyric age.

Pp. 153-172. Ernst Wüst and Wilhelm Crönert, Die Ausgeforschte (*Περαζομένη*). Two different attempts to explain this fragment from the British Museum Papyri. Much of Crönert's explanation is based on an examination of the metres. A supplementary note gives the text and a discussion of another papyrus fragment, "The Lament for Phaethon."

Pp. 173-178. Ida Kapp, Callimachea. An attempt to mend some disputed passages and to clear up some doubtful points in the Aetia.

Pp. 179-200. Carl Wendel, Die Überlieferung des Attizisten Moiris. After an elaborate investigation of the manuscripts, the author agrees with Bekker that the Coislinianus 345 is the unique source of our knowledge of Moiris. The later manuscripts are not to be neglected, however, for their authors often have real contributions to make.

Pp. 201-208. W. Capelle, Zu Tacitus' Archäologien. An attempt to explain the vexed passage in chapter 3 of the Germania. The *barritus* referred to is not a formal song, but a



battle shout, intended to hearten the warriors. The notion that this battle cry had a prophetic importance was an invention of the Romans. The article is continued on a later page.

Pp. 209-232. Friedrich Zucker, Plinius epist. VIII 24—ein Denkmal antiker Humanität. The letter, which is addressed to Maximus on his departure as imperial commissioner to Achaea, is important as illustrating the relations between Greece and Rome at that time. The personal history of Maximus is discussed, and an analysis is given of the letter in question. In spite of the literary influences which can be traced in the letter, it is not to be thought of as a mere exercise in rhetorical composition. The letter well exhibits Pliny's love of the Greeks, and his strong sense of indebtedness to them.

Pp. 233-251. J. Stroux, Die Zeit des Curtius. The homage of Curtius is directed to Vespasian not to Claudius. Many of the passages by which other commentators sought to fix the date are not references to specific historical occasions, but are only rhetorical commonplaces, and must be discarded in any discussion of actual dates.

Pp. 252-272. Miscellen. 4. pp. 252-257. Heinrich Bulle, Das Bühnenbild bei Aristoteles. Aristotle is the only ancient critic who stresses the importance of the stage setting. His testimony shows that the classic stage was not without illusion, nor was the stage setting a purely formal and secondary thing. 5. pp. 257-259. L. Radermacher, Synizese von Iota. The author returns to the subject with some new examples. 6. pp. 259-261. Ernst Kapp, Πισθέταιπος. The name of the Aristophanic character should be written so, and not Παθέταιπος. 7. pp. 261-267. Walter Kolbe, Zur athenischen Schatzverwaltung im IV. Jahrhundert. Contrary to the opinion of Johnson and others, there cannot have been any reorganization of the Athenian treasury as early as 376-373, inasmuch as the reformer Androtion cannot have been active until after 368/7. 8. pp. 267-272. A. Rehm, Zum V. Hymnos des Mesomedes. The device described in the hymn is not a sun dial but an astronomical clock, adorned with the signs of the zodiac. An illustration of a similar clock is appended.

Pp. 273-300. W. Schleiermacher, Die Komposition der Hippokratischen Schrift ΠΕΡΙ ΑΓΜΩΝ· ΠΕΡΙ ΑΡΘΡΩΝ ΕΜΒΟΛΗΣ. The two writings are shown to be parts of a larger work. The article is continued on a later page.

Pp. 301-319. Hermann Roppenecker, Vom Bau der Plautinischen Cantica. Difficulties in handling the cantica come largely from the bad condition of the text. Words have been misspelled, omitted, or changed, and these errors must be corrected before

progress can be made in studying the problems of the cantica. A number of changes in the text are suggested in order to clear up the difficulties. The article is continued on a later page.

Pp. 320-348. Philipp Finger, Die beiden Quellen des III. Buches der Tusculanen Ciceros. Conclusion of the preceding article, pp. 51-81. Cicero's first source was Antiochus; the source for the Stoic material is one of the younger Stoics, a contemporary of Antiochus.

Pp. 349-367. W. Capelle, Zu Tacitus' Archäologien. Continuation of the preceding article, pp. 201-208. The characteristics assigned by Tacitus to the Germans had already been attributed by Livy to the Celts. Therefore, the material in chapter 4 of the Germania is not specifically German, but represents statements which had already been made about the Celts. The source was probably Posidonius, who did not sharply distinguish the Germans from the Celts. An examination is given of the various passages in the literature in which are described the antithetical characteristics of the northern peoples, and it is pointed out that the qualities assigned to them by the Romans are always seen with the eye of the soldier or the statesman. The article is concluded on a later page.

Pp. 368-376. Miscellen. 9. pp. 368-376. J. Stroux, Contrauersio. The legal phrase should be *contrauersio aquae*, not *controuersio*. There were two groups of words, the older *controuors-controuers*, which implied opposition, and a younger group *contrauers* with the meaning *in contrariam partem uersus*.

Pp. 377-398. Heinrich Lewy, Philologisches aus dem Talmud. Parallels drawn from the Talmud to illustrate classical authors. The subjects dealt with are: 1. Human sacrifice to procure rain. 2. The custom of sitting after prayer. 3. The reason for calling a juggler *circulator*. 4. The practice of laying the sick in the street. 5. The use of human skin as an amulet. 6. The Vestal Virgins and their prerogatives. 7. The belief mentioned in Cicero, Cato maior 7, 21, that reading the inscription on a grave stone will cause a man to lose his memory. 8. A commentary on Juvenal, VI, 156 ff., to show that the day on which the kings went barefoot was not the Sabbath, but the Day of Atonement. 9. An explanation of the passage in Plutarch, Qu. conviv. IV, 6, 18, referring to the festivals of the Jews. 10. A correction of Porphyrios Περὶ ἀποχῆς τῶν ἐμψύχων. 11. A note on Kleomedes, with a reference to alms-giving. 12. A biblical parallel to an expression of Julian. 13. A biblical source for Commodianus, Carm. apologet. 1012.

Pp. 399-429. W. Schleiermacher, Die Komposition der Hippokratischen Schrift ΠΕΡΙ ΑΓΜΩΝ · ΠΕΡΙ ΑΡΘΡΩΝ ΕΜΒΟΛΗΣ.

Conclusion of the preceding article, pp. 273-300. It is shown that the title was not original with the author, but was probably added between 200 and 150 B. C. by the same editor who separated the two parts of the treatise. An elaborate analysis is given of the structure and content of the treatise, and the conclusion is reached that the order of the chapters in the extant work is correct, while at the beginning of *περὶ ἀγμῶν* and at the end of *περὶ ἄρθρων*, the editor has interpolated passages from a larger work on surgery.

Pp. 430-463. Hermann Roppenecker, *Vom Bau der Plautinischen Cantica*. Continuation of the preceding article, pp. 300-319. A line by line study of several passages to show how conclusions as to the metre depend on the division of the verses. The article is continued on a later page.

Pp. 464-493. W. Capelle, *Zu Tacitus' Archäologien*. Conclusion of the preceding articles, pp. 201-208, and pp. 349-367. Tacitus' descriptions of lands and peoples are shown to have analogies in the work of his predecessors, especially the discussions of the influence of climate on character. The conclusion is reached that Tacitus drew his ethnographic and geographic material from literary sources.

P. 494. Miscellen. 10. F. Jacoby, *Tacitus Ann. 2, 5*. The passage can be cleared up by assuming the presence of a gloss, and reading *haud perinde* <*damno armorum*> [*vulneribus*] *quam spatiis itinerum* [*damno armorum*] *adfici*.

HARRISON C. COFFIN.

UNION COLLEGE.

RIVISTA DI FILOLOGIA E DI ISTRUZIONE CLASSICA, vol. LVIII.

Pp. 1-23. Il testamento di Virgilio e la questione dell'Appendix vergiliana. Augusto Rostagni. An argument for the authenticity of the Catalepton. They are probably part of the *ἀνέκδοτα* referred to in Virgil's will, afterwards published by his literary executors. The title *κατὰ λεπτόν* (= *λεπτά*) and the brief closing epigram may be due to Varius. No. XIV is set later than the Georgics; this in spite of its 'rudis Calliope.'

Pp. 24-39. Ancora una deviazione del greco dall'ossitonia ario-europea. Matteo Bartoli. A study of Greek paroxytone words ending in an iambus which represent an oxytone in prehistoric Aryo-European.

Pp. 40-53. Il Menesseno. Arnaldo Momigliano. An argument against the authenticity of the Menexenus.

Pp. 54-70. Demiurgi in Creta. Margherita Guarducci. Inscriptional evidence as to the function of certain Cretan magistrates.

Pp. 71-83. Miscellanea: I. Errori intorno alle toparchie della Palestina. Arnaldo Momigliano. II. Aristotele, Poet. 1447a, 28. Carlo Gallavotti. III. Platone, Rep., 397d. Carlo Gallavotti. IV. De quibusdam Vellei Paterculi locis Amerbachiani apographi iterum excussi auctoritate restitutis. Aetius Bolaffi. Textual notes on II 26, 1; 26, 3; 55, 1; 116, 3; 124, 1.

Pp. 84-112. Reviews and book notices.

Pp. 113-121. Notes and news.

Pp. 122-128. List of new books received.

Pp. 129-140. Sul pensiero di Antifonte Sofista. Arnaldo Momigliano.

Pp. 141-156. Sui "Macrobi" di Luciano. Carlo Gallavotti. A defence of the authenticity of Lucian's Makrobioi. It was probably composed at Rome in 159, and addressed to the consul Quintillus.

Pp. 157-188. *L'ictus* nel verso dei Comici e la natura dell'accento latino classico. Giorgio Pasquali. A detailed discussion of Eduard Fraenkel's *Iktus und Akzent im lateinischen Sprechvers*, Berlin, 1928.

Pp. 189-201. Alcune questioni relative alla battaglia dell'Asinaro. Margherita Margani. The Sicilian river Assinaros mentioned by Thucydides (VII 84) as the scene of a great Athenian disaster should be identified, not with the Fiume di Noto, but with the modern Asinaro.

Pp. 202-219. Miscellanea. Di una nuova iscrizione coregica. Margherita Guarducci. Discussion of an inscription recently found at Palaiochori on the western slope of Mt. Hymettus. It records the presentation of plays by Ekphantides, Kratinos, Timotheos, and Sophocles, probably about 420 B. C. It mentions a new comedy of Ekphantides (*Πεῖραι*), and a new tetralogy of Sophocles (*Τηλέφεια*). II. Un nuovo frammento della commedia di mezzo. Carlo Gallavotti. III. Ancora sulla iscrizione metrica di Bu Ngem. Bruno Lavagnini.

Pp. 220-255. Reviews and book notices.

Pp. 256-265. Notes and news. Mention of the death of Ettore Stampini and of Carlo Landi.

Pp. 266-272. List of new books received.

Pp. 273-291. Callimachus senex. Goffredo Coppola. I. A new interpretation of the epilogue of the Aitia. Lines 81-89

seem to be an invocation to the city of Cyrene. The queen of Egypt referred to is perhaps Berenice, not Arsinoë, and the date of the epilogue not earlier than 246-245. II. On the epinikia written for Berenice and Sosibius.

Pp. 292-299. Gli ostaggi egineti in Atene e la guerra fra Atene ed Egina. Gaetano De Sanctis. Discredits Herodotus' story of the Aeginetan hostages at Athens (VI, 73 ff.).

Pp. 300-305. I capisaldi della costituzione tessalica (continued from vol. LVII, 359 ff.). II. Il significato di Tagia. Silvio Ferri.

Pp. 306-310. Interpretazioni dell'arte e del pensiero di Euripide. Piero Treves. Brief comments on some recent pronouncements by Arnaldo Momigliano and Adolfo Levi.

Pp. 311-338. Per la cronologia degli arconti della Beozia (Ricerche storico-epigrafiche). Margherita Guarducci.

Pp. 339-355. Miscellanea. I. La spedizione ellenica in Tessaglia. G. De Sanctis. Discredits the story of Herodotus, VII, 172-73. II. Ancora Alessandro all'oasi di Ammone e Callistene. Giorgio Pasquali. Criticism of U. Wilcken's *Alexanders Zug zum Ammon*. III. Ancora sulla data del *Dialogus de Oratoribus*. Benedetto Romano. Takes stationem, cap. 17, as meaning the principate, and sextam as 'sixthly'. IV. Postilla topografica a Claterna. Arturo Solari. V. Noterella al testo dell'iscrizione sepolcrale di Aptera. Marco Galdi. Note on a Cretan inscription published in vol. LVII, pt. 3.

Pp. 356-389. Reviews and book notices.

Pp. 390-394. Obituary notice of Vincenzo Costanzi.

Pp. 395-400. List of new books received.

Pp. 401-28. Virgilio poeta satirico e giocoso. Augusto Rostagni. The first instalment of a study of the early poems ascribed to Virgil, especially of the poems written under the influence of Catullus. Catal. X is probably one of his earliest compositions. 'Sabinus ille' was probably not Ventidius Bassus, but some ex-muleteer who had risen to be the chief magistrate of Cremona. 'Ballista' was probably a schoolmaster whom Virgil knew at Cremona, between 58 and 55. Catal. XII is probably earlier than VI. Catal. XIII, 'Iacere me,' may be referred to the year 49-48. The 'victor' is Julius Caesar.

Pp. 429-48. I frammenti bodleyani della Satira VI di Giovenale e i frammenti del Valla. Pietro Ercole. Examination and interpretation of the Bodleian fragments of Juvenal discovered by E. O. Winstedt in 1899.

Pp. 449-66. Una pagina del *Περὶ Σκελίας* di Filisto in un



papiro fiorentino. Goffredo Coppola. Text and discussion of a papyrus fragment (perhaps from Oxyrhynchus) written in the second century B. C. It is referred to Philistus of Syracuse, the fourth-century historian. It tells of the first Athenian expedition to Sicily, 427-25—a more detailed account than that given by Thucydides, and apparently independent of it.

Pp. 467-70. Il nuovo Filisto e Tucidide. Arnaldo Momigliano. A comparison of the fragment of Philistus published in the preceding article with Thucydides, III 86-103, and Diodorus, XII 54, 4-5.

Pp. 471-82. Ordinamenti dati da Gortina a Kaudos in una iscrizione inedita di Gortina. Margherita Guarducci. Text and discussion of an inscription discovered at Gortyna in 1927. The date is perhaps the beginning of the third century B. C. The terms imposed by Gortyna upon the little island of Kaudos (now Gavdos), and the yearly contributions required of it.

Pp. 483-86. Epimetron. Gaetano De Sanctis. Note on the system of taxation implied in the Gortyna inscription published in the preceding article.

Pp. 487-89. Un'iscrizione onoraria del 'magister equitum' Teodosio. G. De Sanctis.

P. 490. Nota epicurea: isotachia atomica. Onorato Tescari.

Pp. 492-525. Reviews and book notices.

Pp. 526-36. List of new books received.

W. P. MUSTARD.



## REVIEWS

LOUIS HJELMSLEV. *Principes de grammaire générale*. Kgl. Danske Videnskabernes Selskab. Historisk-filologiske Meddelelser, XVI, 1. Copenhagen, 1928. 362 pp. Kr. 15.

Problems raised by this study are of such linguistic importance, and have so great a bearing upon one's attitude toward linguistics as a whole, that it demands unusual consideration and reflexion. Much of it is good; much seems open to objection—it involves not merely detail, but method, that is to say, philosophy. Adhering in general to the principles so brilliantly enunciated by the Franco-Swiss school of de Saussure and his followers, M. Hjelmslev has not only summarised everything of importance that had previously appeared upon his theme, but has made a very appreciable advance.

The author seeks to establish a theory of the morphological system of language, and to found linguistics on a purely linguistic basis (pp. 3, 5). Linguistics has no place for normative logic, only for descriptive, which is part of psychology, linguistics studying the actual process of communicating thought, whereas psychology investigates the underlying mental operations (17-24). All grammatical facts are psychological, but the converse is not true; and grammatical researches concern only expression, not content, of thought (25-26). No grammatical categories exist without definite form (28), and grammatical psychology (*i. e.* grammar itself) must be delimited from pure psychology (31-32), as must 'words' (parts of speech) from 'terms' (parts of phrase), which arise in pure logic (33-38). All study of grammar must be empirical and inductive, and only indirect psychology (the external reflexes of internal processes) can enter into it (39-46).

Synchronic and diachronic grammar conflict except where they intersect, the former important for 'signs' (forms, words, syntagmes), the latter solely for sounds (46-52). All morphology is syntactic, and grammar is only synchronic; no true historical grammar can exist (52-55). Though fundamentally there is but one grammar, equally synchronic and diachronic, the terminology of the two has different values; and synchronic grammar alone is true since diachrony gives solely a series of events (59-61). Synchronic systems are to be explained by themselves, not diachronically, and grammatical categories can be transposed into diachrony only at the cost of their content (67). Synchrony must determine the nature of these categories, working strictly within a language to discover what is peculiar to it regardless of logic or psychology (80-83); and scientific

grammar is synchronic, its only possible aim and method the ascertainment of the relation between expression and meaning with the former as the point of departure (88-89). Morphology and syntax are the same (morphology being at most the science of the individual word, and syntax of the combination of words), and grammar is concerned solely with forms (semantemes and morphemes), so that of the three 'linguistic unities'—phonemes (with phonology), semantemes and morphemes, and words (lexicology and semantics)—it deals only with the second and with their combinations (90-100).

Besides synchronic grammar (which M. Hjelmslev would call by the excellent term 'ideochronic'), there should also be a 'panchronic' system, which is 'general grammar', embracing the constituent factors of every state of language, whether those factors be actualities or mere possibilities which may, under certain conditions to be determined, become necessary (101-106). Grammatical categories are forms in themselves regardless of their outward guise, since the meaning, not the phoneme, is the criterion; and form (whatever is directly tangible in the sign, or significant, to the exclusion of the signified, or mental concept) includes function, the power of combining solely with certain morphemes whether within themselves (inflexion) or in connexion with other semantemes (subject, gender, word-order, etc.; 113-128).

Next come governance, concord, and subordination (127-162). In pure governance, the morpheme of the dependent element indicates merely an unspecialised dependence (gender, number, person, case); in complex governance, it indicates, in addition, the special nature of the dependence (subject, object, etc.; 141-142, 146-147); in pure concordance, the morpheme of the dependent element indicates only syntactic relation regardless of the signification of the term governed (as gender); in complex concordance, it indicates also that a part of the signification of the combined terms is identical (as case, person, number; 147-148). From this arises the distinction of 'primary', 'secondary', and 'tertiary' terms: the first governing in pure concordance; the second governed in pure concordance; the third unaffected in either concordance (thus, in *homo non bonus* the sequence is primary, tertiary, secondary; 148-149, 153).

Every grammatical category probably has a significant content (163-171), these categories being semantemes, characterised by certain common peculiarities of form (171-197); morphemes (tense, person, case, etc.; 197-198); and function (parts of speech; 198-204), so that the first 'represent unambiguously the categories of ideas', the second 'relations between the ideas', and the third 'the possibilities of the relations of a given idea' (210).

Scientific grammar must be based on a combination of ideo(syn)chrony and panchrony; language is not merely an evolution, but a system (214-216); while diachronic grammar is only an hypothetical abstraction, subject to gravest uncertainty, synchrony is a psychological reality; for every synchronic fact one must assume that there is a synchronic reason; diachrony conditions [may one not add 'and explains'?] changes, but does not cause them (223-228). Languages have a fundamental as well as a genealogical kinship (253-254). Panchronic grammar should include all linguistic possibilities, even those found only in a single concrete instance, so that 'the grammar of language will be composed of all the facts in the grammars of languages' (265-269, 274). Generally speaking, social phenomena aid linguistics in lexicology and semantics rather than in grammar, for primarily language is psychological, not social (276-285). Language-types may exist (289-292); panchrony may lead to discovery of an inner causality, since languages widely separated geographically or genealogically may help explain each other (269); and it alone can give the requisite data for diachronic and reconstructive grammar (293-295).

As regards the parts of speech, substantives (including pronouns), adjectives, verbs, adverbs, prepositions, and conjunctions may be considered functional categories; the article is a morpheme, the interjection an adverb, the numeral may be divided among several categories, the preposition and conjunction are adverbs (299-302). More specifically (331), nouns are semantemes susceptible of morphemes of case; verbs are not so susceptible and are always secondary in function; nouns include substantives (usually primary in function), adjectives (usually secondary), adverbs (usually tertiary), and (337) pronouns, which are characterised by being abstract in every combination and employment whatever, and which denote only concrete persons or things.

M. Hjelmslev's insistence on the importance of synchronic grammar appears wholly justified; and probably no linguist of repute would fail to sympathise with his plea for panchrony. His delimitation of grammar from psychology and sociology, with his recognition of their relations to linguistics, is sane; his criticism of the short-comings of diachrony is well-founded.

There are, however, certain points of view expressed by the Danish scholar which the present reviewer finds himself unable to share. He cannot feel that synchronic grammar is self-explanatory or that it alone gives real knowledge of a language. If one says, for example, *I shall have*, *j'aurai*, *ich werde haben*, *habebo*, *ἔξω*, *θα ἔχω*, *do te kem*, *kalaic*, *sahisyāmi*, etc., one calls any of these, quite rightly from the synchronic point of view, a future; but one cannot tell *why* they are futures. Synchrony,

of which the reviewer is the last to minimise the importance, can only state the facts; for their explanation the aid of diachrony must be sought; and then one learns that the various 'futures' were formed in various ways by various peoples at various periods, and that no single type can be reconstructed which can, by any stretch of imagination, be termed 'future'. In other words, there was a time when a certain group of people speaking a language from which a certain linguistic family has evolved had no idea of a future; it was only later, when a need for greater temporal exactness came to be felt, that various means were independently contrived to express the new concept. One can no more understand language without diachrony than one can comprehend the configuration of the city of Paris to-day or the present position of the British Empire without such knowledge as historical records may afford. A true panchronic grammar (subject, one must fear, to all the uncertainties which beset diachrony) can be constructed only on a combination of synchrony for facts with diachrony for interpretation; and this is true not only in morphology and syntax, but also in phonology and semantics.

The author's discussion of the parts of speech excellently illustrates the whole principle. Nouns are primary, adjectives secondary, and adverbs tertiary not merely because they are so used synchronically, but because of their historical development as revealed by diachrony. Diachronic evidence seems to indicate that the verb was evolved after the noun had been formed, whence it is secondary in function (the true interjection is scarcely a real part of speech, since it appears to be a mere vocal reflex of an emotion; and the article was originally a demonstrative pronoun, as Lat. *ille* : Fr. *le*). Only the pronoun offers difficulty. It is not only (337) 'a category formed by semantemes which, unlike every other semanteme, remain abstract in any combination whatever, and without reference to their employment (the semanteme *nous*, for instance, implies in itself nothing as to the qualities of the individuals it designates), and which always serve to indicate concrete things (or persons)'. It is likewise differentiated, in many instances, from the noun (including the adjective and the various types of adverb) by morphemes which are not used with nouns; unlike the noun, it is frequently suppletive in inflexion (*I* : *me* : *we* : *us*); and diachronically, while practically every base (at least in Indo-European and in Semitic) may develop by morphematic processes into both nouns and verbs, the pronominal bases give only pronouns, never nouns or verbs. Only the noun and pronoun are primary either synchronically or diachronically. Were the two original parts of speech the noun and the pronoun, rather than the noun and the verb? With all the author's insistence that morphology is the

sole criterion of grammatical categories, he seems not to have given it its due in his consideration of the pronoun (and synchronically these criteria are scarcely apparent here). In a word, synchrony, diachrony, and panchrony are each helpless alone.

M. Hjelmslev's exclusion of phonology and semantics from grammar, which he restricts to morphology and syntax (which he would identify), seems open to some question. Phonology, the reviewer feels, is the very foundation of grammar: without phonemes there can be neither semantemes nor morphemes, and, in reality, synchrony is as much concerned with phonology as is diachrony (cf. such a series of correspondences as *stán*, *stane*, *stone*, *steen*, *stein*, etc.). A truer division might be into (A) primarily physical components of grammar—phonology and morphology; and (B) primarily psychological components—syntax and semantics (the latter including lexicology). The Greek *λέγοιμεν* is a phoneme which its morphemes characterise as being of a certain person, number, mood, and tense; and all that can be said, even in the light of diachrony, is that this is a physical fact (many late formations, as *j'aurai* < *\*ego habere habeo*, on the other hand, arise from syntactic combinations; whether one can safely argue that *all* inflexion was syntactic in origin seems by no means certain). The use of *λέγοιμεν* is shown only by syntax; morphology and syntax here seem complementary rather than identical. Semantics (e. g. Fr. *comte* 'title of nobility' < Lat. *comitem* 'companion') would likewise seem to be a part of grammar as involving change (through historical, psychological, or other factors) in the content of semantemes or even (as in syncretism, e. g. the Greek 'dative'; the Latin dative of reference developed into a 'dative of agent' with gerundives) of morphemes.

The one adverse criticism of the work as a whole (to the reviewer's great regret, it seems rather grave) appears to be that it lacks that historical point of view which is as requisite for an understanding of linguistics as for comprehension and evaluation of every other great manifestation of the mind of man.

COLUMBIA UNIVERSITY.

LOUIS H. GRAY.

---

*Lateinisches etymologisches Wörterbuch.* Von ALOIS WALDE.

Dritte neu bearbeitete Auflage, von J. B. HOFMANN. 1. Lieferung (a-ave), 2. Lieferung (avena-capitium). Heidelberg, Carl Winter's Universitätsbuchhandlung, 1930. Pp. 1-160.

The second edition of Walde's *Lateinisches etymologisches Wörterbuch* appeared in 1910. In the twenty years since that



time, there has been much study of the rarer words of Late Latin; of the suffixes of classical Latin; of the new material in the Hittite cuneiform documents; of the relation of the Romanic words to their Latin antecedents. The results of all these have been utilized by Professor HOFMANN, in what seems to the reviewer an admirable manner.

In the 160 pages of these two fascicles, the new edition covers the material of the second edition only to page 127; and as the pages now carry slightly more material to the line, and the whole arrangement is more compact—no useless word being allowed to stand—the third edition can be said to have at least 50% more information than the second. Notably the bibliographical citations have been very much increased; they are so up-to-date that I found references to journals which had themselves arrived within a few days only. And American scholarship is notably well represented in the citations.

The first appearance of every word in Latin is now given, and whether or not it survived into Romanic. Quantities are better indicated: thus we find now -ō as the final of verbs instead of unmarked -o; aciēs, ambō, ambricēs, ānser instead of acies, ambrices, ambo, anser; but ānfractus of the second edition now lacks the macron on the initial vowel. Amp(h)ora is now in its right alphabetic place, but ama and ames are not; adfatim still has the position of affatim. Raised numerals now precede homonymous captions; cf. e. g. acer, acus, anus—even though the words be differentiated by the vowel quantities. Caption words are in strictly accurate form: masc. aevus is now given before neut. aevum; alsus is put in brackets, since it is not actually found, but only its derivatives; etc. The bold-faced type for sub-captions is less used, though more words become sub-captions with their own paragraphs; cf. under aequos, aetas, ago. The Semitic linguistic material has been improved.

There are few omissions of old caption-words, and these are exclusively compound words, previously included because some other language had the same compound: such as abduco, absum, adigo, antisto. One wonders whether this omission is desirable, even though the compounds are now still to be found under the prefix; it is to be hoped that this edition will be provided with an index of Latin words which are not to be found in their alphabetical places. For in the previous editions every language except Latin has its index of words; and while this is reasonable because the dictionary itself is an alphabetic list of Latin words, still there are many words which are hard to find, when entered only under a preposition which in the compound is highly disguised. For instance, asporto is nowhere to be found in any edition of the work; the nearest to an explanation is on p. 2, where under abs we find “daraus *as-* vor *p*”, to which the third



edition adds "(durch Dissim.)", without mention of the word itself.

There are many new words included, though few are familiar. Thus in the first fascicle we find the following new captions: *abitōrium*, *ablinda*, *Accherūns*, *acrisiola*, *acudēns*, *ae*, *Aiāx*, *aloxinum*, *alutiae*, *amalocia*, *ambicus*, *amentum*, *amethystus*, *amicinus*, *antecessus*, *apiāna*, *apopores*, *arcerāca*, *architectus*, *arcisellium*, *argītis*, *aringus*, *armeniacum*, *armilausa*, *armita*, *armitēs*, *arrūrābiliter*, *arse verse*, *asia*, *aspellis*, *assec(u)la*, *assidēlae*, *atīnia*: 33 in all, to which may be added 10 others which are only cross-references. In the second fascicle the new words are more numerous: *authepsa*, *baccar*, *bacciballum*, *baccinum*, *baceolus*, *Bacchus*, *baditis*, *bagaudae*, <sup>2</sup>*balātrō*, *balineum*, *ballista*, *bandum*, *bardala*, <sup>1</sup>*bardus*, *barinula*, *bāris*, <sup>2</sup>*barō*, *baselus*, *bat*, *belinuntia*, *betilolen*, *bicerra*, *bifidus*, *bignae*, *birrica*, *bisōn*, *blandonia*, *blasphēmō*, *blennus*, *blitum*, *blutthagio*, *bolea*, *bōlētus*, *bolusseron*, *bombax*, *bracchium*, *bracis*, *bricumus*, *brīsāre*, *broccis*, *brunda*, *būcula*, *burbālia*, *burburismus*, *buttis*, *cac(c)abus*, *caelia*, *calliomarcus*, *calocatanos*, *calopeta*, *cambortus*, *camox*, *campāna*, *cāmus*, *candēs*, *candētum*, *candosoccus*, *canentas*, *canicum*, <sup>2</sup>*canna*, *capillor*: 61 in all, apart from 12 new captions which are only cross-references. The total number of captions in fascicle 2 is 326, plus 35 which are cross-references; so that the percentage of addition is fairly high. But, as has been said above, not many of these new words are familiar to the reader of classical Latin; they come mostly from the Glossographers, or from medical or botanical writers, though a few are Greek words used by Plautus.

Many words receive new interpretations, either new views which have been propounded since the second edition, or old views which were rejected in the second edition: such are: among the 101 caption words beginning with *c* and common to both editions, the following 13: *cabēnsis*, *cacula*, *caecus*, *caelebs*, *caesariēs*, *caespes*, *calamitās*, *calendae*, *caliandrum*, *caliga*, *Camēnae*, *camisia*, *capillus*. Of those beginning with *a*, I note 49 on which a view changed in part or in whole has been adopted; and of those beginning with *b*, I note 24 (out of 134 common to both editions).

Many articles are greatly amplified; cf., e. g., those on *bombus*, *bonus*, *boō*, *bōs*; though the amplification is often concealed by the careful compression of the material into the fewest possible words.

Naturally there are some points to which another worker in the field may take exception. The reviewer has noted the following: The caption *aiō* has, quite properly, no macron over the *a*; but the macron is set over the vowel in *ambūbāia* and *bāiulus*, even in the face of the writing *ambubeia* (for the plant; <sup>2</sup>*ambūbāia*) in Celsus, which should indicate a short vowel. Now it is generally recognized that words of the type *maior* were pro-

nounced mai-ior, with a diphthong and not a long vowel; and there is no reason known to the reviewer for treating the vowel before an intervocalic i in any other fashion. The -e- of the nominatives abies and aries is said not to be long by nature, but only because the dactylic poets so made it after the older -ess from -ets (the view of Leumann-Stolz<sup>5</sup> 264; like Plautine miles when antevocalic); but the nominative with both lengthened vowel and added s is seen in pēs, bōs, diēs and their cognates (where the length is more clearly demonstrated than in Latin). Under adeō, the combination of ad with the ablative is not adequately explained; one must rather go back to the adverb eō itself, which became an adverb of direction whither by a process of elimination: ibi 'in that place', inde 'from that place'—and the remaining adverb eō took the value of the goal, for the accusative forms of the word hardly lent themselves to adverbial use. So also quo 'whither', perhaps also old Latin hōc 'hither'.

In aes and a(h)ēnus there remains an unseen difficulty: \*aies (generalized from the oblique cases), on losing the -i-, would not become \*ais, but rather \*ās or \*ēs. Old Latin airid is evidence therefore that \*aies- became \*ais- by syncope before the loss of intervocalic -i-, or even that there was here a zero-grade form in prim. Indo-European beside the form attested in Sanskrit (ayas-). On the other hand, a(h)ēnus represents an \*aiesnos which, keeping the -e- of the closed syllable, lost the -i- and then failed to contract because the -e- was in a closed syllable.

A somewhat similar problem in aetās is passed over. Old Latin aevitās and the relation for aevum show that it is for \*aiwo-tāt-s; but the usual theory of syncope in the second syllable does not explain the loss of the -v-. Rather the -v- was lost between like vowels when the stage \*aivitās was reached, and \*ai-itās became \*aitās. (A similar development is to be assumed for praeda from \*prai-hedā, where -h- was lost when the stage \*prai-hidā was reached.) The Oscan forms must then be borrowed from Latin.

The -oe- of the medial syllable in amoenus has always been troublesome; the only parallel in an evidently Latin word is in oboediō. Rather than any of the not very convincing suggestions yet made, I suggest that it stands for \*ad-mov-inos 'at-trac-tive', with -dm- becoming -mm- and reduced to -m- by the mamilla-law, and the -oe- developing as in oboediō (\*ab-aizdiō). If -inos be felt an inappropriate suffix to add to a verbal root, a substantive \*ad-movos 'attraction' may be posited as an intermediate.

Under aries, the a- is explained as a reduced vocalic grade, in comparsion with Umb. erietu and other cognates; but a

change of original e to a after aper caper is at least possible and certainly simpler, cf. *Language* II, 186.

There seems no reason to put the macron over i in *benignus*, as is done on p. 101. The statement of Priscian II, 82 Keil is now pretty generally discredited in case of words where the vowel before gn is etymologically short, as in *benignus*; and the Romanic development attests the shortness, cf. Ital. dial. *belegno* (so Meyer-Lübke, *Rom. etym. Wtb.*, s. v.; *benigno* is learned).

*Bēs*, interpreted as for *bess*, with short vowel and long consonant as in *abies* (see above), is from its meaning interpreted as "aus \**duo ass(is)* 'duae partes assis' über \**duass*, \**duess*, \**duess* mit abnormer Lautkürzung infolge Funktionslosigkeit". One may accept the theory of the origin, without accepting the interpretation. The theory of 'uselessness' (Funktionslosigkeit) is a very pernicious one when applied as above; for linguistic elements are not lost because of uselessness, unless there is a regular phonetic change or an analogical process leading to the same result. On the other hand 'usefulness' will often prevent a regular change which makes a word obscure or abnormal: thus while nom. \**artis* became *ars* by syncope, *hostis* did not become \**hos*, which is out of keeping with the patterns of the language, when compared with the acc. *hostem* and other case-forms. Rather \**duessis* lost the vowel of the final syllable by syncope, assisted by the identity of the surrounding consonants, as in *dixti* from *dixisti*, so that it becomes almost an instance of haplology.

But all in all, we have here a virtually new work whose value cannot be rated too highly, far better than anything else yet printed. It is the indispensable tool of every Latin scholar, as was the earlier edition, but it is now much more useful and more reliable.

ROLAND G. KENT.

UNIVERSITY OF PENNSYLVANIA.

---

A Compendium of *Aljamiado* Literature containing: *Rrekontamiento del Rrey Ališandre* (An *Aljamiado* Version of the Alexander Legend, with an Introduction, Study of the Aragonese Traits, Notes and Glossary), *The History and Classification of Aljamiado Literature*. By A. R. NYKL. Extrait de la *Revue Hispanique*, tome LXXVII. New York, Paris, 1929.

Throughout the greater portion of the Middle Ages and lasting on even into the early part of modern times there existed in the Spanish peninsula a duality of cultures, religions, and

language—the Latin-Romance-Christian over against the Arabic-Moslem-Mohammedan. In literature this is seen in an essentially Romance dialect called Aljamiado, which was the product of the Mozárabes (the conquered Christian population), and spoken and used by the Mudéjares (the Moslem element that through isolation gradually forgot its Arabic speech) and by the Moriscos (outwardly christianized Mudéjares). This Romance dialect was called the Aljamía to characterize it as a barbarian language in contrast to the Arabic. It was by the Mudéjares and the Moriscos that Aljamiado literature was created, the language was written in Arabic characters, and its literary remains were likely to be translations from the Arabic, but the sacred formulas of Islam were retained in Arabic. During the Christian re-conquest the persecution of the Mudéjar population was directed even against their literature, their books were systematically confiscated and destroyed—both Aljamiado and Arabic—so that there survived of Aljamiado only books and manuscripts that had been hidden generally in towers and in partitions of walls.

Thus while Aljamiado literature that has survived is but slight, and its literary value is low, its cultural and linguistic import is considerable. Accordingly, the writing of the history of Aljamiado literature is a task readily discharged, and NYKL concerns himself chiefly with what is perhaps the most important monument of Aljamiado literature, the so-called *El Libro del Recontamiento del Rey Ališandre*, a title however which, as the introductory paragraph makes clear, is but a translation of the Arabic title *kitābu ḥadīṭi Dẓi-lqarneini*, *Book of the History of Dulcarnain*.

The work of Dr. NYKL was undertaken as a doctoral dissertation at the University of Chicago at the suggestion of Dr. Karl Pietsch and written in 1921. Inasmuch as a period of eight years elapsed between the times of writing and of publication, it is indeed highly unfortunate for Dr. NYKL that he did not happen to wait a little longer so as to utilize for his work *Un Texto Árabe Occidental de la Leyenda de Alejandro* según el Manuscrito Ár. XXVII de la Biblioteca de la Junta para Ampliación de Estudios: edición, traducción española y estudio preliminar por Emilio García Gómez. Instituto de Valencia de Don Juan, Madrid MCMXXIX.

The *Recontamiento* had indeed once previously been made accessible in the Biblioteca de Escritores Aragoneses, Sección Literaria, Tomo V. *Leyendas de José Hijo de Jacob y de Alejandro Magno* . . . por F. Guillén Robles, Zaragoza, 1888. This text was a transliteration of the Aljamiado portion into Latin type, but for the Arabic portions—which he relegated, also in transliterated form, to the footnotes—he substituted his own rendering into Aragonese in the appropriate place in the body

of the text. Robles in taking these and other liberties with the text rendered it unreliable for any really critical work to be based upon it.

What Dr. Nykl has done is to transliterate it all, including the Arabic, into Latin type, marking the page divisions of the manuscript, which are frequently in disagreement with those indicated by Robles, and to his text Dr. Nykl has prefixed a study of the language of the *Recontamiento*, its Phonology, Morphology, and Syntax. He has studied the Manuscript, its date and author, attempted to determine the Sources (this is really an attempt to sketch in part the tradition of the Alexander Legend, of which more will be said later), Notes, Arabic Phrases, Proper Names, Glossary.

On pages 5-11 he gives a valuable bibliography, which however, should have been made still more valuable by greater care in the statement of details, and by the addition of important works that have been omitted. For example, the dates assigned are frequently unreliable: Budge, *The History of Alexander the Great* should be 1889 (not 1888); Paul Meyer, *Alexandre le Grand*, etc., bears the date 1886 (not 1888); Carl Müller, *Pseudo-Callisthenes*, should be assigned to the date 1846, and not to the dates of later reprints, such as 1865 or 1877. Works should be assigned to the serial or larger work of which they are a part, e. g., Knust, "Mittheilungen aus dem Eskurial" to the *Bibliothek des literarischen Vereins in Stuttgart*, CXLI. More serious are certain omissions such as Adolf Ausfeld, *Der griechische Alexanderroman*, 1907, and Wilhelm Kroll, *Historia Alexandri Magni* (Pseudo-Callisthenes), vol. I, *Recensio Vetusta*, Berlin, Weidmann, 1926; art. 'Kallisthenes' in Pauly-Wissowa.

In justice to Dr. Nykl it should be stated that the work that he has attempted to do, in order to be done properly, would require the addition to his advisors of at least one more specialist, namely, on the Alexander Romance and its tradition. For his attempt to handle the Alexander tradition in his discussion of the Sources, pages 40-43, is nothing short of disastrous, and his work would have been greatly benefited had this been omitted altogether; for the general result is a pot-pourri of error. A few of the chief errors can be mentioned: The original Alexander Romance was written in *Greek* and not *Egyptian*, and this was proved by Noeldeke when he showed that the Greek version was made up mainly out of Greek literary sources. Among the Greek manuscripts L does not equal  $\beta + \gamma$ . Julius Valerius should be placed at the end of the period 100-340 A. D. instead of being extended through it all. The Armenian, probably of the fifth century, is hardly by Moses of Khorene. The Persian (Pehlewi) version is dated too early, 500 A. D., an error due to the fact that he has confused the



Syrian *History of Alexander*, 'Pseudo-Callisthenes,' seventh century, with the Syrian *Christian Legend*, 514-515. Arabic x was not the source of Mubaššir, the chief source of Mubaššir being the Syrian *History of Alexander*. Mubaššir seems not to have been influenced seriously either by the *Syrian Legend* or by the *Koran*, both of which were important sources for Arabic x which in all probability bore the name *History of Dulcarnain*. NYKL's doubt that there was a δ-recension is ill-advised. It is inaccurate to equate Leo with HP, *Historia de Preliis*, the latter title belonging only to the later and interpolated versions I<sub>1</sub>, I<sub>2</sub>, I<sub>3</sub>, I<sub>3a</sub> and not being correctly applicable to the Bamberg version.

In the notes (pp. 152-170) our confidence is impaired by the presence of statements like the following (p. 154): F. 8v.—1 PC, I, ch. 26 gives 800,000 horsemen, but mentions additional forces. In reality PC. I, 26 has (Müller, p. 27) *ἑπταὶς δὲ ἄνδρας ὀκτακισχιλίων*. Cf. Ausfeld, *Der griechische Alexanderroman* and Kroll, *Historia Alexandri Magni* ad loc.

ANDREW RUNNI ANDERSON.

DUKE UNIVERSITY.

Life and Literature in the Roman Republic. By TENNEY FRANK.

Sather Classical Lectures, Volume Seven. University of California Press, Berkeley, 1930.

This volume presents the fruit of wide reading, deep study and many a seminar. The author has been milling over again the débris of mines already well worked by Leo, Fraenkel, Norden and a number of others. The title of the Introduction, Social Forces, reveals the thesis, which is to check and correct the findings of European scholars by reconstructing internal phases of social feeling and external influences of foreign campaigns and Greek thought. This is no easy task. The trend of criticism maintains its direction stubbornly and is hard to deflect. In general Professor Frank is a champion of Roman originality, a tendency that is not only sound but also especially welcome. America has long regarded classical antiquity through European eyes, and it is gratifying to find someone maintaining an independent stand in opposition to established authorities.

The three chapters on the early epic, tragedy and comedy presume an intimate knowledge of all the fragments, the extant plays, and recent critical literature. In spite of the argumentation implied by this fact the process by which the Roman drama developed a varied and abundant musical accompaniment, and so approached operatic form, is picturesquely traced. The interest increases as the discussion reaches Plautus and Terence, where we know more and need conjecture less. Especially com-



mendable is the clearness with which the conditions are set forth under which the plays were produced and the manuscripts preserved. The argument elsewhere sometimes leads into dense woods, but the trail is never lost even for a moment.

The chapters entitled Prose of the Statesmen, Early Historians and Livy, and Cicero's Contributions are far and away the best treatments of these topics available anywhere. The development of historical writing is concisely traced from the sources through the annalists and romancers to the researchers of the late republic. Concerning the subject of oratory one reads with special relish such sentences as the following: "Roman prose grew to full maturity from native roots, in native soil, and with native nurture (159)." We suffer from a tendency to over-estimate everything Greek, including the influence of Greek rhetoric. Rhetoric is no more essential to real eloquence than theology to religion. It is a theoretical analysis of a practical synthesis.

The chapter on Lucretius and his Readers is somewhat less searching and less convincing than the rest of the book. The statement that his work "swept the younger generation off its feet (237)" is inconsistent with the conspiracy of silence that surrounds his name in later literature. The peak of Epicureanism in Rome seems to have been reached before the poems of Lucretius were handed over to his executors. The statement of Cicero in the *Pro Caelio* xvii, 41, 56 B. C. that almost no philosophy except *voluptas cum dignitate* was then being taught is evidence that the situation is mature. The compromise with the Roman devotion to a career of distinction, "pleasure along with distinction," means that Lucretius is out of touch with the campaign that captured the generation of Caelius. It was possibly Epicurean ethics rather than physical theories that interested Rome. Even Vergil, who in *Catalepton* V calls the Epicurean Siro a great man, never names Lucretius nor betrays any extensive trace of his influence.

Other adversaria are trifling. The term 'vowel-shift' cannot properly be applied to Latin (71). The sense in which 'propriety' is used (145) is foreign to rhetoric. The mystery of the decline of tragedy (59-60) is probably no more than the phenomenon of the sated market, which prevails in most fashions.

Taken altogether, however, the volume is a splendid contribution to a distinguished series. The style is clear and forceful and often wonderfully apt. Some of it is stiff reading but the game is worth the effort. The author pays the reader the compliment of assuming that he is well-informed and earnest. Lastly it is gratifying to have the work published so promptly.

NORMAN W. DEWITT.

---

*P. Vergili Maronis Opera.* REMIGIUS SABBADINI recensuit.  
Vol. I, Bucolica et Georgica; Vol II, Aeneis. Romae,  
Typis Regiae Officinae Polygraphicae, MDCCCXXX.  
xvi + 668 pp.

It is eminently fitting that one of the most noteworthy contributions to the world's celebration of the Virgil Year should come from Italy. This is a National edition of the *Bucolics*, *Georgics*, and *Aeneid*, prepared by one of the most distinguished Latinists of the present day, and probably the best critical edition of Virgil yet produced. It is published by the State printing establishment at Rome; it is beautifully printed, in large type on special paper, and very attractively bound.

Professor SABBADINI has personally collated the five great MSS. *A*, *F*, *M*, *P*, *R*, and noted all the changes made by the many correcting 'hands.' He is inclined to refer *P* to the fourth century, and he regards it as of the highest importance, especially in the matter of orthography. "Is sane maximae auctoritatis est plurimasque lectiones sinceras unus omnium servavit; in orthographia autem recte tradenda inter reliquos codices principem locum obtinet." To *R* he assigns somewhat more importance than most modern editors have done; to *M*, because of the depravity of the 'corrector,' somewhat less.

Besides the evidence of the MSS., the editor has carefully considered the various hints which are found in quotations or imitations of Virgil in later Latin writers, in ancient inscriptions, commentaries, glossaries, etc. In the matter of spelling he allows for a certain amount of fluctuation and inconsistency in Virgil's day, even supposing that he may have written *cum* and *quom* in the same line, *G. i*, 310. Cp. *fervit*, *Aen. i*, 436, *fervet*, *Aen. iv*, 407; *Tityre*, *B. i*, 4, *Tytire*, *B. vi*, 4. In several passages he writes a nominative plural in *-is*: *B. x*, 16, *ovis*; *G. i*, 390, *carpentis*; *iv*, 96, *turpis*; *iv*, 198, *segnis*. The dative singular of the relative is regularly printed *quoi*. So in *B. iv*, 62, *quoi non risere parentes*, where it is suggested that Quintilian's famous comment on the passage may have been due to a misunderstanding. That is, his text may have had *qui* with the meaning of *cui*, as later MSS. sometimes have.

Every reader will be interested to see what the editor has made of particular passages of Virgil, but I have only time to compare his new text of the *Georgics* with his smaller edition, Turin, 1921. *Rusti*, *ii*, 413, is now written *rusci*; *fluvit*, *iii*, 524, is now *fluit*; *tinus*, *iv*, 141, becomes *pinus*. *Albis et gilvo*, *iii*, 82, is now *albis e gilvo*. At *iii*, 402, the suggestion of the loss

of two half-lines has been withdrawn. At iv, 509, for *flevisse* he now reads *flesse sibi*.

*Furor*, Aen. iv, 110, and *furs*, Aen. viii, 205, are misprints.

W. P. MUSTARD.

THE JOHNS HOPKINS UNIVERSITY.

---

The *Historia Regum Britanniae* of Geoffrey of Monmouth, with Contributions to the Study of its Place in Early British History. By ACTON GRISCOM. Together with a literal Translation of the Welsh Manuscript No. LXI of Jesus College, Oxford, by ROBERT ELLIS JONES. With 16 Photographs of Manuscripts. Longmans, Green and Company, London and New York, 1929. xii + 672 pp. \$10.00.

The *Historia Regum Britanniae* of Geoffrey of Monmouth is a rather hard book to classify; students of literature are apt to think of it as a kind of history, while the historians usually regard it as mere literature. Both classes agree that a better text was desirable than has hitherto been available, and this Mr. GRISCOM seems to have provided. His text is a reproduction of the Cambridge MS. No. 1706, with variants from two other twelfth-century MSS. (Bern, No. 568, and Harlech, No. 17) printed at the foot of the page. Not that his work is offered as final or nearly complete. There are still forty-five other twelfth-century MSS. to be collated, and even in the text which he provides a certain amount of mental revision must be done by the reader. The manuscript abbreviations are extended throughout, but scribal errors and omissions are reproduced without any attempt at editing, and all the confusing punctuation of his Cambridge MS. is carefully retained. The Introduction discusses, among other things, the problem of Geoffrey's sources, especially his relation to the Welsh Chronicles, or *Bruts*, and his claim to have had and translated an ancient British book. Many scholars have doubted the existence of this '*liber vetustissimus*', but Mr. GRISCOM accepts Geoffrey's statement regarding it as literally true. He insists throughout on the importance of the *Historia* for the actual history of pre-Roman and Arthurian Britain, and even finds corroboration of some of the details in recent archaeological and anthropological discoveries. Only the expert in mediaeval Welsh could follow him in all his reasoning, and in at least one chapter he is admittedly arguing in advance of detailed and cumulative proof, but even the outsider can appreciate his wide scholarship, his vast industry, and his scrupulous fairness.

---

W. P. MUSTARD.

A Handbook of the Latin Language: Being a Dictionary, Classified Vocabulary, and Grammar. By WALTER RIPMAN. London, J. M. Dent and Sons; New York, E. P. Dutton & Co., 1930. 804 pp. \$3.55.

This looks like a very helpful handbook for the undergraduate student of Latin. The plan is a novel one, and well carried out, and, thanks to an elaborate system of abbreviations, an amazing amount of detailed information is packed in a comparatively small space. The dictionary proper (pp. 1-527) attempts to "provide for every Latin word a translation with illustrative quotations, related English words, derived Latin words, references to kindred grammatical phenomena and to words and phrases of similar meaning." The English-Latin classified vocabulary (pp. 529-662) contains the materials of the dictionary arranged in groups according to the meaning (Time, Place, Land, Sea, Animals, Plants, etc.). The third section (pp. 663-804) gives an outline of the main grammatical features of the language. Long vowels have been marked as such throughout the book; for example, the second vowel of 'nullius'—even in a line of Horace where it is made short (p. 9). P. 5 (under 'absumo') one of the illustrations quoted from Livy is a telescoping of two sentences (5, 7, 3, and 22, 39, 14). P. 21 (under 'ago') Horace's *vesanum poetam agitant pueri*, A. P. 455-6, is referred to Virgil. P. 80 (under 'communis') *communis infimis, par principibus*, is referred to Virgil. It comes from Nepos, Atticus, 3, 1. P. 96 (under 'consumo') *nihil est quod non consumit vetustas* is referred to Cicero. But Cicero used the regular subjunctive *consumat* (Marcell. 4, 11). P. 730 seems to give an unusual locative form, *Corinthis habitat*, probably a misprint for *Corinthus*.

W. P. MUSTARD.

---

Milton. By E. M. W. TILLYARD. The Dial Press, New York, 1930. viii + 396 pp. \$5.00.

This is an excellent study of Milton's literary and mental development. It is divided into three parts, corresponding with the three well-marked epochs of the poet's life: (1) the early poems, covering the period from his birth till his return from Italy and the writing of the *Epitaphium Damonis*; (2) the period of the prose, 1639-1660; (3) the later poems, from the Restoration to his death. It pays due attention to the Latin poems and the Latin academic exercises, and it very properly examines the prose in strictly chronological order. Incidentally,

the *Mansus* is called the best of all the Latin poems (the *Epitaphium Damonis* included), and the *Defensio Secunda*, the greatest of the prose works and one of the greatest of the world's rhetorical writings. The chapter on the construction of *Paradise Lost*, and its rigorous conscious unity, is particularly good. Another good chapter discusses the literary character of *Paradise Regained*. On p. 256 there is a reference to the history of mankind inserted in the Eleventh Book of *Paradise Lost*, in the form of pageants presented to the eyes of Adam. Here Mr. TILLYARD remarks, "This is a fine piece of craft. There had been nothing of the sort before"—apparently forgetting *Aeneid*, VI, 756 ff. The suggestion, on p. 322, that *Paradise Regained* was divided into four books because there were four books of Virgil's *Georgics* need not be taken very seriously.

---

W. P. MUSTARD.

**Boccaccio on Poetry:** Being the Preface and the Fourteenth and Fifteenth Books of Boccaccio's *Genealogia Deorum Gentilium* in an English Version, with Introductory Essay and Commentary. By CHARLES G. OSGOOD. Princeton University Press, 1930. xlix + 214 pp. \$5.00.

Here is a most useful English version of Boccaccio's defence of poetry, contained in the two concluding chapters of his *Genealogia Deorum Gentilium*. The translation is based upon O. Hecker's text as published in his *Boccaccio-Funde*, Brunswick, 1902. The introduction and the notes are excellent. They set forth the influence of the treatise upon the poetry, criticism, and scholarship of later times. For a single instance, see the comparison with Sidney's *Defence of Poetry*, pp. xlv-xlvi. P. 143 offers the interesting suggestion that Boccaccio wrote his Preface, and perhaps conceived his whole work, having in mind Gregory's Proem to his *Moralia* on the Book of Job. On p. 151, n. 16, for the story of Alexander and his precious casket, add Plutarch, *Alex.* xxvi. On p. 196, n. 18, "to compare small things with great," add Virgil, *Geor.* iv. 176, *si parva licet componere magnis*.

---

W. P. MUSTARD.

**M. Manilii Astronomicon Liber Quintus.** Recensuit et enarravit A. E. HOUSMAN. Accedunt Addenda Libris I, II, III, IV. Londinii, apud Societatem *The Richards Press*, MDCCCXXX. xlviii + 199 pp. 7 sh. 6 d.

The first volume of the edition of Manilius now completed was published in 1903, the second in 1912, the third in 1916,



and the fourth in 1920. The introduction to this fifth volume has a final discussion of the MSS., some very readable comments on other twentieth-century editors (Breiter, Garrod, van Wageningen), and some very instructive remarks on textual criticism in general. One feature of the book deserves especial praise: the apparatus criticus is embedded in the commentary, and the two are closely interwoven. The editor has thus required himself to explain and defend everything he admits into his text. Any detailed criticism of Professor HOUSMAN's edition must be left for some more competent reviewer, but it should at least be promptly mentioned here as the most important attempt since Bentley to recover and interpret what Manilius actually wrote. It is modern classical scholarship at its best.

W. P. MUSTARD.

THE JOHNS HOPKINS UNIVERSITY.

---

Étude sur le Style de Saint Augustin. By CONSTANTIN I. BALMUS. Paris: Société d'Édition "Les Belles Lettres," 1930. Pp. 327.

I shall present my criticism of the present work in two parts: 1, general remarks which pertain chiefly to the work as a whole; 2, particular remarks which have reference to specific portions of the whole.

The author in his preface goes to considerable length to show the great need of a general work on the style of St. Augustine. Among other remarks he says the following: "Il est vrai que sous la direction du savant américain, M. Roy J. Deferrari, quelques études sur saint Augustin ont paru dans la collection « Patristic studies, » mais elles se rapportent surtout aux questions de syntaxe, par ex.: Sister Mary Columkille Colbert, *The Syntax of the « De civitate Dei »* of st. Augustine, Washington, 1923 et Sister Mary Raphael Arts, *The syntax of the Confessions of saint Augustine*, Washington, 1927." After preparing the reader for the first comprehensive work on the style of St. Augustine, the author suddenly informs us at the very end of the introduction that the present study will be based only on the *Confessions* and the *City of God* for two reasons; first, because St. Augustine's works are so extensive (and to prove this fact he does not need to quote the words of Possidius in his *Life of Augustine*), second, because these two works are fundamental through which Augustine obtained his reputation as a literary light and as a thinker.

Thus the reader soon learns that the present work in spite of its declaration to the contrary is *not* a comprehensive work on



St. Augustine's style. Such a work must of course consider all of Augustine's works, and certainly can not overlook that vast body of literature represented by the letters, sermons, and finished works, all of which taken together would represent over four-fifths of what he wrote. Furthermore, the various groups of Augustine's work are quite different in style. In fact the two which Dr. Balmuş has selected as the basis of his study differ from each other in every way, and should be treated separately. I take this opportunity to mention the fact that in my "Patristic Studies," the two works which Dr. Balmuş mentions in the introduction are the *only* ones which deal with the subject of syntax in St. Augustine's works. Furthermore, there are *five* other works in the series which deal specifically with the *style* of St. Augustine, one treating particularly of the *City of God*. In the body of this study Dr. Balmuş shows that he is acquainted with most of these. Thus, then, the comprehensive work on St. Augustine's style still remains to be written, and can be done only when more detailed studies of the hitherto untouched and important works of Augustine have been made. Dr. Balmuş's reasons for attempting such a study by basing it only on the *Confessions* and the *City of God* are, of course, quite unworthy of a serious scholar.

The author accomplishes much of his work not by gathering all instances of the various phenomena but by sampling, and this often gives the wrong impression or at least lacks an air of finality. This is particularly true of the data on vocabulary. Father Clement Hrdlicka, O.S.B., will shortly contribute a volume to the "Patristic Studies" on the "Vocabulary of the *Confessions*", and a comparison of his results with those of Dr. Balmuş will be most surprising.

The work under discussion is divided into six chapters as follows: Le choix des mots, L'ordre des mots, La construction de la phrase, La variété du style, Recherche de l'ampleur, Couleur oratoire et poétique. Of these the best treated is the second on "The order of words," although even here one is hesitant about accepting conclusions because they are based *only* on books 1 and 8 of the *Confessions*, and books 1 and 21 of the *City of God*. If sampling must be resorted to, it should not be so sparse.

In the other chapters errors occur altogether too often. Thus: on page 29, lines 5 and 6, we are informed that *in tuam invocationem* (Conf. I, 9, 14, 81) = *cum te invocarem*. This is quite incorrect for it can only mean *ad te invocandum*, as anyone who reads the passage carefully will see. Again on page 46, line 1, *in profundo nutus tui* (Conf. IX 4, 12, 14) is presented as illustrating the use of the neuter singular of the adjective accompanied by a partitive genitive. In reality *nutus tui* is nominative plural and can not by any stretch of the imagination be taken

as anything else. On pages 57 and 58 the use of *ille* as a definite article is discussed, but not a single example cited is a clear illustration of this use, although many do exist especially in the *Confessions* as Father Clement will show. In fact all the examples cited by Balmuş are classical. Pages 83-86 deal with *Changements de sens*, and is quite inadequate. Father Clement will present this topic in much greater detail and quite adequately. On page 78, last line, we find *ioculus* (Conf. VIII, 12, 28, 14) cited as a diminutive. The actual context reads: *et proruperunt flumina oculorum meorum*, in which De Labriolle's edition has the misprint *ioculorum*. Dr. Balmuş has apparently failed to recognize the slip, even though it is quite obvious.

The bibliography is adequate, although the works of Löfstedt and his school might have been cited more fully and used with greater profit. Finally, the utility of the work will be greatly curtailed by the utter lack of any index. A work of this kind is almost useless without at least an Index Verborum.

THE CATHOLIC UNIVERSITY OF AMERICA.

ROY J. DEFERRARI.

---

KARL STRECKER, *Einführung in das Mittellatein*, zweite, erweiterte Auflage. Berlin, Weidmann, 1929.

This little work, by one of the foremost of living Medievalists, should prove of great service to students of Medieval Latin. It does not pretend to be a complete manual in any sense, but as its title implies, its sole purpose is to orientate the student and give him in the briefest possible form a practical working introduction to the intelligent study of the Latin language and literature of the Middle Ages.

Professor STRECKER, after some general *Introductory Remarks* (pp. 1-8), in which, among other things, he rightly emphasizes that Mediaeval Latin is no *Tummelplatz* for dilettanti insufficiently grounded in Classical philology, divides his little book into the following sections or short chapters: 1. *Language* (pp. 8-14); 2. *Dictionaries* (pp. 14-16); 3. *Word Formation and Signification* (pp. 16-22); 4. *Prosody, Accent, Pronunciation, and Orthography* (pp. 22-23); 5. *Morphology* (p. 24); 6. *Notes on Syntax* (pp. 24-27); 7. *Form*. (a) *Poetry*. (a) *Metrical*. (β) *Rhythmic*. (b) *Prose*. (a) *Riming Prose*. (β) *The Cursus* (27-38); 8. *The History of Literature* (pp. 39-42); 9. *Texts* (pp. 42-47); 10. *Libraries* (pp. 47-49); 11. *The History of the Transmission of Roman Literature* (pp. 49-50); 12. *Palaeography* (pp. 50-52).

All topics of immediate concern to the student of Medieval Latin are treated very succinctly but at the same time with clarity. The essential bibliographical references accompanied by

brief critical comments are given in the course of the exposition of each topic. The leading ideas of the author on Medieval Latin philology as a science, on the constituent elements of Medieval Latin—particularly the ecclesiastical element, the importance of which can hardly be overstressed—, on the question of Medieval Latin as a living tongue, and on the method of attacking the linguistic and literary problems of Medieval Latin, are essentially those of Wilhelm Meyer and Ludwig Traube. Hence those who are already familiar with Traube's *Einleitung in die lateinische Philologie des Mittelalters*, which still remains indispensable, will find that Professor STRECKER's work supplements it admirably by references to the more recent literature, by the citation of numerous additional examples in the treatment of language and syntax, and especially by the section on *Form*, which in spite of its brevity, is a more comprehensive and systematic exposition of the subject than that contained in the *Einleitung*.

In view of the bibliographical material submitted, attention should be called to certain omissions. Pp. 8 ff.: in stressing the historical approach to the study of Early Medieval Latin, the author names several valuable monographs but makes no mention of the great *Lateinische Syntax und Stilistik* of Schmalz, 5th ed. revised by Hofmann, Munich, 1928. The work is indispensable. P. 10: Plater and White, *A Grammar of the Vulgate*, Oxford, 1926, should find a place beside Kaulen, *Itala und Vulgata*. P. 15: in connection with the account of the new *Du Cange*, something should be said of the *Dictionary of Late Medieval British Latin*, and similar national projects now under way. Pp. 27 ff.: On *Form*, add: C. S. Baldwin, *Medieval Rhetoric and Poetic (to 1400)*, New York, 1928. P. 43: On the *Exempla*, add: J. Welter, *L'Exemplum dans la littérature religieuse et didactique du moyen âge*, Paris, 1927.

The book is carefully printed. I have noted only these slips: p. 49, l. 11: 163-126; read 103-126; p. 51, last l.: Greek: read Greek. On p. 52, l. 3, the following reference is confusing: P. Lehmann, *Lat. Paläographie* bei H. Dessau, *Epigraphik* 1925. Lehmann's work together with Dessau's forms Part 10 in vol. I, 3rd ed., of Gercke-Norden, *Einleitung in die Altertumswissenschaft*.

Professor STRECKER's little book is certainly to be recommended to all students and teachers of Medieval Latin. What it has to offer them is what they need most—proper orientation and guidance in a field that is bewildering by its vastness alone, to say nothing of the multiplicity and difficulty of its problems.

MARTIN R. P. MCGUIRE.

THE CATHOLIC UNIVERSITY OF AMERICA.

Sancti Aurelii Augustini Episcopi De Civitate Dei Libri XXII  
ex recensione B. DOMBART quantum recognovit A. KALB.  
Vol. II. Lib. XIV-XXII: Lipsiae in aedibus B. G. Teub-  
neri MCMXXIX. xxi + 635 pp. Geb. 12 M.

The first volume of this work was reviewed in *A. J. P.* XLIX (1928) pp. 298-300. In his preface to the second volume, the editor, after giving some supplementary information on the MSS. containing the last 9 books of the *D. C. D.* already described by him in the preface to Volume I, discusses in detail three further MSS. which he has utilized in establishing his text of these books. The MSS. in question are R (Cod. Monacensis, saec. X, lib. XV-XXII), D (Cod. Bernensis, saec. XI, lib. XIX-XXII), and H (Cod. Monacensis, saec. XIII, lib. I-XXII). He is inclined with Hoffmann, as against Dombart, to put little faith in R, as its readings are too often unreliable. Some value is placed on the readings of D which, although not one of the best MSS., is important, because it holds a middle position between R and the other MSS. Besides personally collating R and D, the editor has also carefully examined H, which came to Munich only after Dombart's death. The latter MS., in spite of its late date, is given considerable authority because of its affinity with C (Corbeiensis, saec. VII, lib. I-X) and F (Cod. Monacensis, saec. IX, lib. I-XVIII), two of the better MSS.

The best MS. for the latter books of the *D. C. D.* is unquestionably V (Cod. Veronensis, saec. VI), but it contains only bks. XI-XVI. Hence for the last 6 bks., Professor KALB has been forced to constitute his text largely on the basis of a choice from the readings of relatively poorer MSS. It may be fairly stated that he has chosen well and has given us our most definitive text of the *D. C. D.* to date. As he himself observes, little further can be done until all the works of St. Augustine have been edited critically and his language and style investigated on an exhaustive scale. As in Vol. I, the sources are indicated at the foot of the page and their number is considerably greater than that in the previous edition. The editor in this matter acknowledges assistance derived in particular from Professor Weyman of Munich. It is to be hoped that Professor KALB will soon give us the *Indices* to the *D. C. D.* which he promised in his preface to Vol. I. They would certainly be a welcome aid to Patristic scholars.

MARTIN R. P. MCGUIRE.

THE CATHOLIC UNIVERSITY OF AMERICA.

---

## WILLIAM AUGUSTUS MERRILL

1860-1930

Professor Merrill was born at Newburyport, Mass., on September 14, 1860. Twenty years later he graduated from Amherst College, which awarded him also the M. A. degree in 1884. He took the doctor's degree in 1893 at Ohio University, at which time Miami conferred upon him the honorary L. H. D. He taught at Belmont College, Ohio, from 1883 to 1888, at Miami University from 1888 to 1893, at Indiana University the following year, coming to the University of California in 1894 as head of the Department of Latin. Here he at once made himself a power in faculty matters, becoming the chief authority on rules and regulations; later he edited the Regents' Manual. In 1899 he took an active interest in the organization of the Pacific Coast Philological Association, and was one of the early presidents of that organization.

Professor Merrill's scholarship was wide and sound. His lifelong devotion to the study of Lucretius is marked by his scholarly edition of that poet in 1907, by his text edition of 1917, and by numerous periodical articles. His interest in Patristic Latin is represented by a selection of Latin Hymns published in 1904. He contributed liberally to the University of California Publications in Classical Philology, of which he was one of the editors.

His life is a record of devotion to the University of California. When he retired from active service in 1927, he had completed at this institution thirty-three years of service, broken only once, when, in 1924-1925, he spent a year in Italy as annual professor at the American Academy in Rome. This experience gave so much pleasure that he returned to Italy for another year immediately upon his retirement. He came home, apparently in the best of health, and settled down to what promised to be a long period of scholarly leisure. But unsuspected forces were at work that brought his life to an end on December 20, 1930.

Professor Merrill always stood for what is highest and best in

scholarship, and he left a vivid impression upon the graduate students who enrolled in his classes. He had a sincere and earnest interest in the progress of the younger men on the staff, and was anxious to advance their scholarship in every way.

Even after his final illness developed, he still retained a kindly interest in the work of the department. In his living room or on the sun-porch, both commanding a magnificent view of San Francisco Bay, he would chat cheerfully and whimsically of men and things.

He is survived by his wife and four children. Additional years of life would have meant only increasing weakness and suffering, and we cannot wish him back again. But we shall long miss him.

H. C. NUTTING.

---



## BOOKS RECEIVED.

Ashdown (Margaret). English and Norse Documents relating to the Reign of Ethelred the Unready. Cambridge, England, *University Press*; New York, *The Macmillan Co.* (sole American agents), 1930. Pp. xiii + 311. \$5.50. 8°.

*Atala*. Translated from the French of F. A. Chateaubriand by Caleb Bingham. (Stanford Miscellany.) Edited by William Leonard Schwartz. *Stanford University Press*, California, 1930. Pp. xi + 114. \$2.00.

Augustine, Saint. Select Letters. With an English translation by J. H. Baxter. New York, *G. P. Putnam's Sons*; London, *William Heinemann*, 1930. Pp. lii + 535. (Loeb Classical Library, No. 239.) \$2.50.

Bede. Opera Historica. In two volumes. With an English translation by J. E. King. London, *William Heinemann*; New York, *G. P. Putnam's Sons*, 1930. Pp. xxxv + 505 and 518. (Loeb Classical Library, Nos. 246 and 248.) \$2.50.

Bielmeier (P. Amandus). Die neuplatonische Phaidrosinterpretation. (Rhetorische Studien, hsg. von E. Drerup, 16. Heft.) Paterborn, *Verlag von Ferdinand Schöningh*, 1930. Pp. 96. 8°.

Boillot (Félix). Psychologie de la Construction dans la phrase française moderne. Paris, *Les Presses Universitaires de France*, 1930. Pp. xii + 307. 50 francs.

Bollettino dell'Associazione Internazionale per gli Studi Mediterranei. Secondo Numero Virgiliano. Anno I. Num. 5. Dicembre, 1930. Villa Celimontana, Roma. Pp. 32. 4°.

Bulletin de l'Association Guillaume Budé. October, 1930; Janvier, 1931. Paris, *M. Jean Malye*, 1930. Pp. 75, 84.

Bureau of American Ethnology, Smithsonian Institution. Forty-sixth Annual Report. 1928-1929. Washington, *United States Government Printing Office*, 1930. Pp. 654. 4°.

Cahen (Maurice) et Olsen (Magnus). L'Inscription Runique du Cofret de Mortain. Avec un Appendice par C. Osieczkowska. Paris, *Librairie Ancienne Honoré Champion*, 1930. Pp. 66. 8°. (Collection Linguistique publiée par La Société de Linguistique de Paris, XXXII.)

Cambridge Ancient History, The. Volume VIII. Rome and the Mediterranean, 218-133 B. C. Edited by S. A. Cook, F. E. Adcock, and M. P. Charlesworth. Cambridge, *The University Press*, 1930. Pp. xxv + 840. 8°.

Curme Volume of Linguistic Studies. Edited by J. T. Hatfield, W. Leopold, and A. J. F. Zieglschmid. Baltimore, *Waverly Press, Inc.*, 1930. Pp. 178.

Demosthenes. Olynthiacs, Philippics, Minor Public Speeches, Speech against Leptines. With an English translation by J. H. Vince. London, *William Heinemann, Ltd.*; New York, *G. P. Putnam's Sons*, 1930. Pp. xx + 608. (Loeb Classical Library, No. 238.)

Duckett (Eleanor Shipley). *Latin Writers of the Fifth Century*. New York, *Henry Holt and Company*, 1930. Pp. xx + 271. \$2.50. 8°.

Duncan (Thomas S.). *Roman Restoration Coins*. (Washington University Studies—New Series. Language and Literature—No. 3.) St. Louis, 1930. Pp. 38-63. 8°. (Reprinted from *Papers on Classical Subjects in Memory of John Max Wulfin*.)

Edgar (Campbell Cowan). *Zenon Papyri in the University of Michigan Collection*. (University of Michigan Studies. Humanistic Series, Volume XXIV.) Ann Arbor, *University of Michigan Press*, 1931. Pp. xiv + 211. 4°. \$3.50.

*Education, Journal of*. January 1, 1931. London, *William Rice*. Pp. 56.

Ferrini (Contardo), *Opere di*. A cura di Emilio Albertario. (Studi vari di Diritto romano e moderno.) Volumi Terzo, Quarto, & Quinto. Milano, *Ulrico Hoepli*, 1929, 1930. Pp. 501 + 490 + 536. 8°. Each 75 Lire.

Fiedler (Wilhelm). *Antiker Wetterzauber*. (Würzburger Studien zur Altertumswissenschaft, 1. Heft.) Stuttgart, *Verlag von W. Kohlhammer*, 1931. Pp. x + 95. 8°. \$4.50.

Frank (Tenney). *Virgilio. L'Uomo e il Poeta*. Traduzione di Edgardo Mercanti. Lanciano, *Giuseppe Carabba*, 1930. Pp. xvi + 230.

Gwatkin (William Emmett, Jr.) *Cappadocia as a Roman Procuratorial Province*. (The University of Missouri Studies. Vol. V, No. 4. Oct. 1, 1930.) Columbia, *University of Missouri*. Pp. 66.

Herrick (Marvin Theodore). *The Poetics of Aristotle in England*. (Cornell Studies in English, XVII.) New Haven, *Yale University Press*, 1930. Pp. x + 196. 8°.

Hespéris. *Archives Berbères et Bulletin de l'Institut des Hautes-études Marocaines*. Année 1929. 2e-4e Trimestres; Tome X (1930), Fascicule I. Paris, *Librairie Larose*. 8°.

Hönigswald (Richard). *Die Renaissance in der Philosophie*. *Verlag von Ernst Reinhardt*, München, 1931. Pp. 22. 1 M.

Humbert (Jean). *La Disparition du Datif en Grec (du Ier au Xe Siècle)*. (Collection Linguistique publiée par La Société de Linguistique de Paris, XXXIII.) Paris, *Librairie Ancienne Honoré Champion*, 1930. Pp. ix + 204. 8°.

*Jewish Quarterly Review, The*. Vol. XXI, No. 3. January, 1931. Philadelphia, *The Dropsie College*; London, *Macmillan & Co., Ltd.* Pp. 223 + 352.

*Journal of Education, The*. December, 1930, and January, 1931. London, *William Rice*.

*Junius Manuscript, The*. Edited by George Philip Krapp. New York, *Columbia University Press*, 1931. Pp. lviii + 247. \$4.00. 8°. (The Anglo-Saxon Poetic Records: A Collective Edition. I.)

*Letters of Sarah Byng Osborn*. (Stanford Miscellany.) With an introduction and further notes by John McClelland. California, *Stanford University Press*, 1930. Pp. xix + 148. \$2.25.

Lexicon Graecum Novi Testamenti auctore Francisco Zorell, S. I. Editio altera. (Cursus Scripturae Sacrae, Pars Prior, VII.) Parisiis (VI), P. Lethielleux, 1931. Pp. xxiii + 1502 columns. 150 francs. 8°.

Lysias. With an English translation by W. R. M. Lamb. (Loeb Classical Library.) London, William Heinemann, Ltd.; New York, G. P. Putnam's Sons, 1930. Pp. xxvi + 707. \$2.50.

Macchiore (Vittorio D.) From Orpheus to Paul. A History of Orphism. (Studies in Religion and Culture. Schermerhorn Lectures, I.) New York, Henry Holt and Company, 1930. Pp. 262. \$3.00.

Malcovati (H.) Oratorum Romanorum Fragmenta. Three volumes. (Corpus Scriptorum Latinorum Paravianum. Nos. 56, 57, & 58.) Aug. Taurinorum, In aedibus I. B. Paraviae et Soc., MCMXXX. Pp. 249 + 219 + 214.

Mitteilungen des Vereines Klassischer Philologen in Wien. VII. Jahrgang. Wien, 1930. Pp. 76.

Naylor (Louis Hastings). Chateaubriand and Virgil. Baltimore, The Johns Hopkins Press, 1930. 212 pp. 8°. \$1.25. (The Johns Hopkins Studies in Romance Literatures and Languages, Vol. XVIII.)

Norsk Riksmålsordbok. Hefte 2. Oslo, H. Aschehøug & Co., 1930. Kr. 1.00. Pp. 126-251. 8°.

Osgood (Charles G.) Boccaccio on Poetry. Being the Preface and the Fourteenth and Fifteenth Books of Boccaccio's *Genealogia Deorum Gentilium* in an English Version with Introductory Essay and Commentary. Princeton, Princeton University Press, 1930. Pp. xlix + 214. 8°. \$5.00.

Papyri in the Princeton University Collections. Edited with notes by Allan Chester Johnson and by Henry Bartlett Van Hoesen. Baltimore, The Johns Hopkins Press, 1931. Pp. xxiii + 146. \$7.50. 8°.

Philo. Volume III. With an English translation by F. H. Colson. London, William Heinemann, Ltd.; New York, G. P. Putnam's Sons, 1930. Pp. viii + 512. \$2.50. (Loeb Classical Library, No. 247.)

Philological Quarterly. Volume X, Number 1, January, 1931. Iowa City, University of Iowa. Pp. 96. 8°.

Pike (Joseph B.) Classical Studies & Sketches. Minneapolis, University of Minnesota Press, 1931. Pp. vii + 176. \$2.00.

Platons zweiter Hippiasdialog: Gehalt, Beurteilung. Von Dr. Wilhelm Schneidewin. Paderborn, Verlag Schöningh, 1931. Pp. 36. 1.50 M.

Prior (O. H.) Morceaux Choisis des Penseurs Français du XVI<sup>e</sup> au XIX<sup>e</sup> Siècle. Paris, Librairie Félix Alcan, 1930. Pp. iii + 412. 30 francs.

Rebert (Homer F.) Virgil and Those Others. Amherst, The Virgil Bimillennium Committee of Amherst College, 1930. Pp. 126. 8°.

Ritter (Constantin). Die Kerngedanken der Platonischen Philosophie. München, Verlag von Ernst Reinhardt, 1931. Pp. x + 344. 8°. 12 M.

Robinson (David M.), Harcum (Cornelia G.), and Iliffe (J. H.)

A Catalogue of the Greek Vases in the Royal Ontario Museum of Archaeology, Toronto. In two volumes. *The University of Toronto Press*, 1930. Vol. I, pp. viii + 288; Vol. II, CVIII Plates. \$10.00.

Robinson (David M.) Excavations at Olynthus. Part III: The Coins Found at Olynthus in 1928. Pp. xiv + 129 + xxviii Plates. \$10.00. Part IV: The Terra-Cottas of Olynthus Found in 1928. Pp. xii + 105 + lxii Plates. \$10.00. 4°. Baltimore, *The Johns Hopkins Press*; London, *Humphrey Milford*, 1931.

St. Basil. The Letters. Volume III. With an English translation by Roy J. Deferrari. (Loeb Classical Library, No. 243.) London, *William Heinemann, Ltd.*; New York, *G. P. Putnam's Sons*, 1930. Pp. xv + 489. \$2.50.

Salvian's On the Government of God. Translated by Eva M. Sanford. New York, *Columbia University Press*, 1930. Pp. viii + 241. \$3.75.

Satires of A. Persius Flaccus, The. Rendered into English verse with an introduction and notes by Jonathan Tate. Oxford, *Basil Blackwell*, MCMXXX. Pp. 68. 4 s. 6 d.

Sandfield (Kr.) Linguistique Balkanique. Problèmes et Résultats. (Collection Linguistique publiée par La Société Linguistique de Paris, XXXI.) Paris, *Librairie Ancienne Honoré Champion*, 1930. Pp. 242. 8°.

Schmidt (Magdalena). Die Komposition von Vergils Georgica. Paderborn, *Ferdinand Schöningh Verlag*, 1930. Pp. 235. 8°. M. 12. (Studien zur Geschichte und Kultur des Altertums, XVI. Band, 2./3. Heft.)

Sewanee Review. Edited by William S. Knickerbocker. January-March, 1931. Vol. XXXVIII, Sewanee, Tennessee, *The University of the South*. Pp. 128. 8°.

Shakespeare Bibliography, A. By Ebisch (Walther) and Schücking (Levin L.) Oxford, *Clarendon Press*; New York, *Oxford University Press, American Branch*, 1931. Pp. xviii + 294. \$7.50. 8°.

Shakespeare's Problem Comedies. By William Witherle Lawrence. New York, *The Macmillan Company*, 1931. Pp. ix + 259. 8°. \$3.00.

Symposion: Die Geschichte einer literarischen Form. Von Josef Martin. (Studien zur Geschichte und Kultur des Altertums XVII, 1/2.) Paderborn, *Verlag Ferdinand Schöningh*, 1931. Pp. viii + 320.

Van Hook (La Rue). Greek Life and Thought. Revised Edition. New York, *Columbia University Press*, 1930. Pp. xiv + 331. \$2.50. 8°.

Vergiliana. A Selected List of Books for Library Exhibits together with Suggested Material for Exhibition Labels. Compiled and edited by John William Spaeth, Jr. (American Classical League Publication, No. 39.) *The American Classical League*, New York, 1930. Pp. 30.

Xenophon, Hellenica. Edited C. Hude. Lipsiae, in *Aedibus B. G. Teubneri*, MCMXXX. Pp. xii + 343.